

EXHIBIT 17

EXCERPTS (A-B) FROM DEPARTMENT OF STATE HUMAN RIGHTS REPORTS ON CHINA REPORTS

A. Department of State 2000 H. Rts. Report

The screenshot displays the U.S. Department of State website. The header features the Department of State logo and the text "U.S. DEPARTMENT OF STATE DIPLOMACY IN ACTION". Below the header is a navigation bar with links: SECRETARY TILLERSON, ABOUT, WHAT WE DO, POLICY ISSUES, COUNTRIES & REGIONS, and PRESS. A search bar is located on the right side of the navigation bar. The main content area is titled "China (includes Hong Kong and Macau)" and is dated February 23, 2001. The text describes the political system of the People's Republic of China (PRC), noting that the Chinese Communist Party (CCP) is the paramount source of power. It also mentions the security apparatus and the country's economic transition from a centrally planned to a market-based economy.

U.S. DEPARTMENT OF STATE
DIPLOMACY IN ACTION

SECRETARY TILLERSON ABOUT WHAT WE DO POLICY ISSUES COUNTRIES & REGIONS PRESS

Search Site

In This Section:
«Go Back

Quick Links
Archives
Passports
Visas
Careers
Diversity Visa
Travel Warnings
Per Diem Rates

Home > Under Secretary for Civilian Security, Democracy, and Human Rights > Bureau of Democracy, Human Rights, and Labor > Releases > Human Rights Reports
> 2000 Country Reports on Human Rights Practices > East Asia and the Pacific

China (includes Hong Kong and Macau) Share

Country Reports on Human Rights Practices
Bureau of Democracy, Human Rights, and Labor
2000
February 23, 2001

(Note: Also see the report for [Hong Kong](#) and the report for [Macau](#).)

The People's Republic of China (PRC) is an authoritarian state in which the Chinese Communist Party (CCP) is the paramount source of power. At the national and regional levels, Party members hold almost all top government, police, and military positions. Ultimate authority rests with members of the Politburo. Leaders stress the need to maintain stability and social order and are committed to perpetuating the rule of the CCP and its hierarchy. Citizens lack both the freedom peacefully to express organized opposition to the Party-led political system and the right to change their national leaders or form of Government. Socialism continues to provide the theoretical underpinning of Chinese politics, but Marxist ideology has given way to economic pragmatism in recent years, and economic decentralization has increased the authority of regional officials. The Party's authority rests primarily on the Government's ability to maintain social stability, appeals to nationalism and patriotism, Party control of personnel, media, and the security apparatus, and the continued improvement in the living standards of most of the country's almost 1.3 billion citizens. The Constitution provides for an independent judiciary; however, in practice the Government and the CCP, at both the central and local levels, frequently interfere in the judicial process, and the Party and the Government direct verdicts in many high-profile political cases.

The security apparatus is made up of the Ministries of State Security and Public Security, the People's Armed Police, the People's Liberation Army, and the state judicial, procuratorial, and penal systems. Security policy and personnel were responsible for numerous human rights abuses.

The country is making a gradual transition from a centrally planned to a market-based economy. Although state-owned industry remains dominant in key sectors, the Government has privatized many small and medium state-owned enterprises (SOEs) and allowed private entrepreneurs increasing scope for economic activity. The country has large industrial and agricultural sectors and is a leading producer of coal, steel, textiles, and grains. Major exports include electronic goods, toys, apparel, and plastics. Trade and foreign investment are helping to modernize an already rapidly growing economy. The official gross domestic product (GDP) growth rate through the third quarter of the year was just over 8 percent—a decrease from the double-digit growth rates of the early 1990's, but

Since mid-1999 the Government has waged a severe political, propaganda, and police campaign against the Falun Gong spiritual movement; the campaign intensified significantly during the year. Falun Gong (or Wheel of the Law, also known as Falun Dafa) blends aspects of Taoism, Buddhism, and the meditation techniques of qigong (a traditional martial art) with the teachings of Li Hongzhi, who left the country in 1998. The Government estimates that there may be as many as 2.1 million adherents of Falun Gong; Falun Gong followers estimate that there are as many as 100 million adherents worldwide. Some experts estimate that the true number of Falun Gong adherents lies in the tens of millions. Despite the mystical nature of some of Li's teachings, Falun Gong does not consider itself a religion and has no clergy or formal places of worship. In July 1999, 3 months after 10,000 Falun Gong adherents had demonstrated peacefully in front of the Zhongnanhai leadership compound in Beijing, the Government officially declared Falun Gong illegal and began a nationwide crackdown. Around the country, tens of thousands of practitioners were rounded up and detained for several days--often in open stadiums--under poor and overcrowded conditions, with inadequate food, water, and sanitary facilities. Practitioners who refused to renounce their beliefs were expelled from schools or fired from jobs. The China Education Daily reported that "political thought and morality" assessments of applicants to take university exams were expanded to include questions to determine whether applicants were members of Falun Gong. Some detainees were government officials and Communist Party members. A few high-ranking practitioners were forced to disavow their ties to Falun Gong on national television. Government officials who were practitioners were required to undergo anti-Falun Gong study sessions and were prohibited from Falun Gong activities; some were expelled from the Party for refusing to recant their beliefs. The authorities waged an intense propaganda campaign against the group, seized and destroyed Falun Gong literature, and attempted to shut down Falun Gong Internet web sites. Also in July 1999, the Government issued a warrant for the arrest of Falun Gong leader Li Hongzhi, who was charged with holding demonstrations without appropriate permits and disturbing public order. The Government requested INTERPOL's assistance in apprehending Li, who resides abroad, but INTERPOL declined to assist, on the grounds that the offense was not a crime recognized under the INTERPOL charter, and that the request was political in nature. Late in the year, President Jiang Zemin announced that the campaign against the Falun Gong was one of the "three major political struggles" of 1999. The crackdown on "cults" intensified in late 1999, with press reports stating that restrictions would be tightened on several "cults" and various Christian groups. In late October 1999, as part of the Government's anti-Falun Gong crackdown, the Standing Committee of the National People's Congress adopted a decision to ban "cults," including Falun Gong, under Article 300 of the Criminal Law. Under the decision, cult members who "disrupt public order" or distribute publications can receive prison terms of 3 to 7 years. Cult leaders and recruiters can be sentenced to 7 years or more in prison.

Although the vast majority of practitioners detained later were released, those identified by the Government as "core leaders" were singled out for particularly harsh treatment. On November 30, 1999, Vice Premier Li Lanqing stated that authorities detained over 35,000 practitioners between July 22 and October 30 1999 (the Government later clarified Li's statement, noting that the figure represented the total number of confrontations of police with adherents and that many persons had multiple encounters with police). In August the Director of the Religious Affairs Bureau stated that 151 Falun Gong practitioners had been convicted of leaking state secrets, creating chaos, or other crimes. According to credible estimates, as many as 5,000 Falun Gong practitioners have been sentenced without trial to up to 3 years of reeducation through labor. Human rights organizations estimate that as many as 300 practitioners have been sentenced to prison terms of up to 18 years for their involvement in Falun Gong. According to the Falun Gong, hundreds of its practitioners have been confined in mental hospitals.

B. Department of State 2010 H. Rts. Report

The screenshot displays the U.S. Department of State website. The header features the Department's seal and the text "U.S. DEPARTMENT OF STATE" and "DIPLOMACY IN ACTION". A navigation bar includes links for "SECRETARY TILLERSON", "ABOUT", "WHAT WE DO", "POLICY ISSUES", "COUNTRIES & REGIONS", and "PRESS". A search bar is located on the right. The main content area shows the "2010 Country Reports on Human Rights Practices" for "China (includes Tibet, Hong Kong, and Macau)". The report is dated April 8, 2011, and is from the Bureau of Democracy, Human Rights, and Labor. A "View PDF" button is visible. The text of the report is displayed below, discussing the lack of legal registration for NGOs, the formation of political parties, and freedom of religion and movement.

U.S. DEPARTMENT OF STATE
DIPLOMACY IN ACTION

SECRETARY TILLERSON ABOUT WHAT WE DO POLICY ISSUES COUNTRIES & REGIONS PRESS

Search Site...

Home > Under Secretary for Civilian Security, Democracy, and Human Rights > Bureau of Democracy, Human Rights, and Labor > Releases > Human Rights Reports > 2010 Country Reports on Human Rights Practices > East Asia and the Pacific

China (includes Tibet, Hong Kong, and Macau)

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR
2010 Country Reports on Human Rights Practices
Report
April 8, 2011

This is the basic text view. SWITCH NOW to the new, more interactive format.

View PDF

(The section for **Tibet**, the report for **Hong Kong**, and the report for **Macau** are appended below.)

The People's Republic of China (PRC), with a population of approximately 1.3 billion, is an authoritarian state in which the Chinese Communist Party (CCP) constitutionally is the paramount authority. Party members hold almost all top government, police, and military positions. Ultimate authority rests with the 25-member Political Bureau (Politburo) of the CCP and its nine-member Standing Committee. Hu Jintao holds the three most powerful positions as CCP general secretary, president, and chairman of the Central Military

The lack of legal registration created numerous logistical challenges for NGOs, including difficulty opening bank accounts, hiring workers, and renting office space. NGOs that opted not to partner with government agencies could register as commercial consulting companies, which allowed them to obtain legal recognition at the cost of forgoing tax-free status. Security authorities routinely warned domestic NGOs, regardless of their registration status, not to accept donations from the U.S. Government-funded National Endowment for Democracy and other international organizations deemed sensitive by the government. Authorities supported the growth of some NGOs that focused on social problems, such as poverty alleviation and disaster relief, but remained concerned that these organizations might emerge as a source of political opposition. Many NGOs working in the Tibet Autonomous Region (TAR) were forced to leave because their project agreements were not renewed by their local partners following unrest in Lhasa and other Tibetan communities in 2008.

No laws or regulations specifically govern the formation of political parties. However, the CDP remained banned, and the government continued to monitor, detain, and imprison current and former CDP members.

c. Freedom of Religion

For a complete description of religious freedom, see the 2010 *International Religious Freedom Report* at www.state.gov/drl/irf/rpt.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The law provides for freedom of movement within the country, foreign travel, emigration, and repatriation; however, the government generally did not respect these rights in practice. The government sometimes cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) in providing protection and assistance to refugees, asylum seekers, and other persons of concern.

Authorities heightened restrictions on freedom of movement periodically, particularly to curtail the movement of individuals deemed politically sensitive before key anniversaries and visits of foreign dignitaries, and to forestall demonstrations. Freedom of movement continued to be extremely limited in the TAR and other Tibetan areas. Police maintained checkpoints in most counties and on roads leading into many towns, as well as within major cities such as Lhasa.

EXHIBIT 18

EXCERPT FROM H. COM. INT'L REL, SUBCOMMITTEE ON AFRICA, GLOB. H. RTS. & INT'L OPERATIONS



China's Human Rights Record and Falun Gong

Gretchen Birkle, Acting Principal Deputy Assistant Secretary for Democracy, Human Rights, and Labor

Testimony Before the House Committee on International Relations, Subcommittee on Africa, Global Human Rights and International Operations
Washington, DC
July 21, 2005

Mr. Chairman, Members of the Committee, thank you for continuing to focus the spotlight of international attention on China's poor human rights record by holding this important hearing on the human rights situation in China and the continued persecution of the Falun Gong. I am very pleased to have this opportunity to provide you with the Department's assessment of China's record on human rights and religious freedom. I would also like to briefly discuss some of the steps the State Department is taking to promote increased respect for international human rights standards and democratic principles. We seek to encourage China ultimately to travel the path to freedom, democracy, and free enterprise.

Although enormous economic and social progress has taken place in China over the past 20 years, political reform has lagged far behind, and the repression of citizens seeking to exercise their internationally recognized fundamental freedoms continues to be a systemic problem. Hopes that the pace of political reform would quicken and opportunities for public discourse would expand when the fourth generation of leaders, led by President Hu Jintao, came into power to date have not been realized. Although the leadership has demonstrated concern for the rapidly growing economic inequalities between China's urban and rural areas, the need for social safety networks, and somewhat greater transparency and accountability in its actions, those citizens who call attention to systemic problems often become targets of government repression.

Mere belief in the practices of Falun Gong, even without public expression of its tenets, is sufficient grounds for practitioners to receive punishments ranging from loss of employment, to mandatory anti-Falun Gong study sessions designed to force practitioners to renounce the Falun Gong, to imprisonment. The reeducation-through-labor (RTL) system is regularly used to incarcerate Falun Gong practitioners. Some international observers believe that at least half of the 250,000 officially recorded inmates administratively sentenced to the country's reeducation-through-labor camps are Falun Gong adherents. After release from RTL camps, hundreds of Falun Gong adherents who have refused to recant their beliefs continue to be held in legal education centers, another form of administrative detention. Falun Gong cases are often handled outside normal legal procedures by a special Ministry of Justice office, known as the 610 office. During the past year, the 610 office was implicated in many allegations of abuse.

As a result of the government's campaign against the group, during the past year, very few Falun Gong activities were conducted publicly within the country. But Falun Gong practitioners outside of China continued their efforts to focus international attention on the plight of fellow practitioners in China.

Clearly, these human rights abuses, which are spelled out in much greater detail in the annual *Country Reports on Human Rights Practices* and the *International Religious Freedom Report* are systematic. Although a genuine transformation of China and its political system can only be realized by the Chinese themselves, it is in the interest of the United States, and the international community, to continue to encourage China to reform its system and to increase its respect for human rights.

The State Department's approach is based on two basic principles: that international pressure can over time encourage China to take steps to bring its human rights practice into compliance with international standards and that there are opportunities to support those within China who see structural reform in China's best interests.

EXHIBIT 19

EXCERPTS (A-D) FROM UNITED STATES HOUSE RESOLUTIONS

A. H. Res., 304, 108th Cong (2004)

<https://www.congress.gov/bill/108th-congress/house-concurrent-resolution/304/text>

The screenshot shows the CONGRESS.GOV website interface. At the top, there are navigation links for Legislation, Congressional Record, Committees, and Members. A search bar is present with a dropdown menu set to "All Legislation" and a search input field containing "Examples: hr5, sres9, 'health care'". Below the navigation bar, the breadcrumb trail reads "Home > Legislation > 108th Congress > H.Con.Res.304". The main heading is "H.Con.Res.304 - Expressing the sense of Congress regarding oppression by the Government of the People's Republic of China of Falun Gong in the United States and in China." followed by "108th Congress (2003-2004)". A red banner indicates "CONCURRENT RESOLUTION" with a "Hide Overview" button. The "Sponsor" is "Rep. Ros-Lehtinen, Ileana [R-FL-18]" (Introduced 10/16/2003). "Committees" listed are "House - International Relations; Judiciary". "Latest Action" is "10/05/2004 Received in the Senate. (All Actions)". A "Tracker" shows "Introduced" and "Passed House". On the right, "More on This Bill" includes "CBO Cost Estimates [0]" and "Subject — Policy Area: International Affairs" with a "View subjects" link. At the bottom, a row of tabs shows "Summary (2)", "Text (3)", "Actions (12)", "Titles (1)", "Amendments (0)", "Cosponsors (75)", "Committees (2)", and "Related Bills (0)".

Text: H.Con.Res.304 — 108th Congress (2003-2004)

[All Information](#) (Except Text)

There are 3 versions: Received in Senate (10/05/2004) ▼ **Text available as:** TXT | [PDF](#) (PDF provides a complete and accurate display of this text.) ?

Shown Here:
Received in Senate (10/05/2004)

[Congressional Bills 108th Congress]

Whereas Falun Gong is a peaceful spiritual movement that originated in the People's Republic of China but has grown in popularity worldwide and is now accepted and practiced by thousands in the United States;

B. H. Res. 605, 111th Cong. (2010)

<https://www.congress.gov/bill/111th-congress/house-resolution/605/text>

The screenshot displays the CONGRESS.GOV website interface. At the top, navigation links include Legislation, Congressional Record, Committees, and Members. A search bar is present with a dropdown menu set to 'All Legislation' and a search icon. Below the navigation bar, the breadcrumb trail reads 'Home > Legislation > 111th Congress > H.Res.605'. The main heading for the resolution is 'H.Res.605 - Recognizing the continued persecution of Falun Gong practitioners in China on the 11th anniversary of the Chinese Communist Party campaign to suppress the Falun Gong spiritual movement and calling for an immediate end to the campaign to persecute, intimidate, imprison, and torture Falun Gong practitioners.' Below this, it specifies '111th Congress (2009-2010)'. A 'RESOLUTION' tab is active, with a 'Hide Overview' option. The overview section lists the sponsor as Rep. Ros-Lehtinen, Ileana [R-FL-18], introduced on 06/26/2009. It also lists the committee as House - Foreign Affairs and the latest action as House - 03/16/2010, where the title was amended and agreed to without objection. A 'Roll Call Votes' section indicates there has been 1 roll call vote. A 'Tracker' section shows the progression from 'Introduced' to 'Agreed to in House'. To the right, a 'More on This Bill' section includes links for 'CBO Cost Estimates [0]' and 'Subject — Policy Area: International Affairs'. Below the overview, a series of tabs are visible: Summary (2), Text (2), Actions (10), Titles (2), Amendments (0), Cosponsors (81), Committees (1), and Related Bills (0). The 'Text' tab is selected, showing the title 'Text: H.Res.605 — 111th Congress (2009-2010)'. A dropdown menu indicates there are 2 versions, with 'Engrossed in House (03/16/2010)' selected. At the bottom, a section titled 'Text available as:' provides links for XML/HTML, XML/HTML (new window), TXT, and PDF, with a note that the PDF provides a complete and accurate display of the text.

CONGRESS.GOV

Legislation Congressional Record Committees Members

Quick Search Advanced Search Browse

Search Tools Glossary Resources Help Contact

Sign In

All Legislation

Examples: hr5, sres9, "health care"

Home > Legislation > 111th Congress > H.Res.605

Print Subscribe Share/Save Give Feedback

H.Res.605 - Recognizing the continued persecution of Falun Gong practitioners in China on the 11th anniversary of the Chinese Communist Party campaign to suppress the Falun Gong spiritual movement and calling for an immediate end to the campaign to persecute, intimidate, imprison, and torture Falun Gong practitioners.

111th Congress (2009-2010)

RESOLUTION Hide Overview

Sponsor: [Rep. Ros-Lehtinen, Ileana \[R-FL-18\]](#) (Introduced 06/26/2009)

Committees: House - Foreign Affairs

Latest Action: House - 03/16/2010 The title of the measure was amended. Agreed to without objection. ([All Actions](#))

Roll Call Votes: There has been [1 roll call vote](#)

Tracker:

Introduced Agreed to in House

More on This Bill

[CBO Cost Estimates \[0\]](#)

Subject — Policy Area:

International Affairs

[View subjects »](#)

Summary (2) **Text (2)** Actions (10) Titles (2) Amendments (0) Cosponsors (81) Committees (1) Related Bills (0)

Text: H.Res.605 — 111th Congress (2009-2010) [All Information](#) (Except Text)

There are 2 versions: Engrossed in House (03/16/2010)

Text available as: XML/HTML [XML/HTML \(new window\)](#) [TXT](#) [PDF](#) (PDF provides a complete and accurate display of this text.)

Whereas Falun Gong is a traditional Chinese spiritual discipline founded by Li Hongzhi in 1992, which consists of spiritual, religious, and moral teachings for daily life, meditation, and exercise, based upon the principles of truthfulness, compassion, and tolerance;

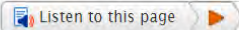
C. H. Res. 281, 113th Cong. (2014)

<https://www.congress.gov/bill/113th-congress/house-resolution/281/text>

The screenshot displays the Congress.gov website interface. At the top, navigation links include "Legislation", "Congressional Record", "Committees", and "Members". A search bar is present with the text "Examples: hr5, sres9, 'health care'". The main heading reads "H.Res.281 - Expressing concern over persistent and credible reports of systematic, state-sanctioned organ harvesting from non-consenting prisoners of conscience, in the People's Republic of China, including from large numbers of Falun Gong practitioners imprisoned for their religious beliefs, and members of other religious and ethnic minority groups." Below this, a "RESOLUTION" tab is active, showing the sponsor "Rep. Ros-Lehtinen, Ileana [R-FL-27]" and the committee "House - Foreign Affairs". A "Tracker" section shows the status as "Introduced". On the right, a "More on This Bill" section links to "CBO Cost Estimates [0]". At the bottom, a navigation bar lists various document types: "Summary (1)", "Text (1)", "Actions (8)", "Titles (1)", "Amendments (0)", "Cosponsors (245)", "Committees (1)", and "Related Bills (0)".

Summary: H.Res.281 — 113th Congress (2013-2014)

[All Information](#) (Except Text)



There is one summary for H.Res.281. [Bill summaries](#) are authored by [CRS](#).

Shown Here:

Expressing concern over persistent and credible reports of systematic, state-sanctioned organ harvesting from non-consenting prisoners of conscience, in the People's Republic of China, including from large numbers of Falun Gong practitioners imprisoned for their religious beliefs, and members of other religious and ethnic minority groups.

D. S. Res. 232, 112th Cong. (2011)

<https://www.congress.gov/bill/112th-congress/senate-resolution/232/text>

The screenshot displays the CONGRESS.GOV website interface. At the top, there is a navigation bar with links for Legislation, Congressional Record, Committees, and Members. A search bar is present with the text "Examples: hr5, sres9, 'health care'". Below the navigation bar, the main content area shows the title "S.Res.232 - A resolution recognizing the continued persecution of Falun Gong practitioners in China on the 12th anniversary of the campaign by the Chinese Communist Party to suppress the Falun Gong movement, recognizing the Tuidang movement whereby Chinese citizens renounce their ties to the Chinese Communist Party and its affiliates, and calling for an immediate end to the campaign to persecute Falun Gong practitioners." The page also includes a "Tracker" section with a button labeled "Introduced". On the right side, there is a "More on This Bill" section with links to "CBO Cost Estimates [0]" and "Subject — Policy Area: International Affairs". At the bottom, there is a "Text" section with a link to "All Information (Except Text)".

CONGRESS.GOV

Legislation Congressional Record Committees Members

Quick Q Advanced Q Browse

Search Tools Glossary Resources Help Contact

Sign In

All Legislation

Examples: hr5, sres9, "health care"

Home > Legislation > 112th Congress > S.Res.232

Print Subscribe Share/Save Give Feedback

S.Res.232 - A resolution recognizing the continued persecution of Falun Gong practitioners in China on the 12th anniversary of the campaign by the Chinese Communist Party to suppress the Falun Gong movement, recognizing the Tuidang movement whereby Chinese citizens renounce their ties to the Chinese Communist Party and its affiliates, and calling for an immediate end to the campaign to persecute Falun Gong practitioners.

112th Congress (2011-2012)

RESOLUTION Hide Overview X

Sponsor: [Sen. Menendez, Robert \(D-NJ\)](#) (Introduced 07/13/2011)

Committees: Senate - Foreign Relations

Latest Action: Senate - 07/13/2011 Referred to the Committee on Foreign Relations. ([All Actions](#))

Tracker:

Introduced

More on This Bill

[CBO Cost Estimates \[0\]](#)

Subject — Policy Area:

International Affairs

[View subjects >](#)

Summary (1) **Text (1)** Actions (1) Titles (1) Amendments (0) Cosponsors (12) Committees (1) Related Bills (0)

Text: S.Res.232 — 112th Congress (2011-2012) [All Information](#) (Except Text)

There is one version of the bill.

Text available as: XML/HTML | [XML/HTML \(new window\)](#) | [TXT](#) | [PDF](#) (PDF provides a complete and accurate display of this text.) ?

Shown Here:

Resolved, That the Senate—

...

(3) emphasizes to the Government of the People's Republic of China that freedom of religion includes the right of Falun Gong practitioners to freely practice Falun Gong in China;

EXHIBIT 20

EXCERPTS (A-E) FROM
CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA ANNUAL REPORTS

A. CECC 2016 Annual Report

https://www.cecc.gov/sites/chinacommission.house.gov/files/documents/AR16%20Religion_final.pdf



The Commission did not observe any updates as to the status of the other three as of July 2016.

- Authorities in **Hebei** also have not given any information as to the whereabouts or condition of three underground Hebei bishops: Coadjutor Bishop Cui Tai of Xuanhua district, Zhangjiakou municipality (detained in August 2014);⁶⁴ Bishop Cosmas Shi Enxiang (missing since 2001; in February 2015 officials denied an unconfirmed report that he had passed away);⁶⁵ and Bishop James Su Zhimin of Baoding municipality (detained in 1996; last seen in public in 2003).⁶⁶ Family members of Bishop Su reportedly appealed to authorities for his release following a general amnesty granted to disabled elderly prisoners; following one appeal to a national-level official in January 2015, authorities subjected the family to several days of home confinement.⁶⁷

- In **Shanghai municipality**, Bishop Thaddeus Ma Daqin of the Diocese of Shanghai continued to be held under extralegal confinement at Sheshan seminary.⁶⁸ Authorities have restricted Ma's freedom of movement since his public resignation from the CPA during his ordination ceremony in July 2012⁶⁹ and reportedly shut down his microblogging account around May 2016.⁷⁰ In June 2016, Bishop Ma published a post on his personal blog stating that Christians should defer to national laws conflicting with religious doctrine and calling his "words and actions" toward the CPA a "mistake."⁷¹ Several Chinese Catholic believers and priests stated that they believed Bishop Ma posted these statements due to government pressure.⁷²

Falun Gong

The Commission noted reports of continued harassment and abuse of Falun Gong practitioners as part of a campaign launched in 1999;⁷³ this included official propaganda⁷⁴ and censorship⁷⁵ targeting the group, and harassment, arbitrary detention, abuse, and prosecution of individual practitioners.⁷⁶ The campaign has been directed by policies issued by top-level government and Party officials⁷⁷ and is overseen by the "610 Office," an extralegal, Party-run security apparatus with branches at provincial and local levels.⁷⁸

As in previous years, authorities continued to pressure Falun Gong practitioners to renounce their beliefs in a process termed "transformation through reeducation."⁷⁹ To this end, officials reportedly subjected practitioners to extreme physical and psychological coercion in prisons and in administrative detention facilities such as "legal education centers" and compulsory drug detoxification centers.⁸⁰ Human rights organizations⁸¹ and practitioners have documented coercive and violent practices against Falun Gong practitioners during custody, including electric shocks,⁸² sleep deprivation,⁸³ food deprivation,⁸⁴ forced feeding,⁸⁵ forced drug administration,⁸⁶ beatings,⁸⁷ sexual abuse,⁸⁸ and forcible commitment to psychiatric facilities.⁸⁹

Authorities also harassed, detained, and arrested those with associations with Falun Gong that ranged from social media activity to legal representation of practitioners. For example, in November 2015, the Ganyu District People's Court in Lianyungang municipi-

B. CECC 2005 Annual Report

https://chinacommission.gov/pages/annualRpt/annualRpt05/2005_3d_religion.php

**CONGRESSIONAL - EXECUTIVE
COMMISSION ON CHINA**

Friendly

Subscribe/unsubscribe to
Commission Email & Newsletter

[View the
Complete Report
\(Adobe Acrobat PDF\)](#)

[View the
Press Release](#)

CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA
2005 ANNUAL REPORT
III. Monitoring Compliance With Human Rights
III(d) FREEDOM OF RELIGION

[Introduction](#) | [New Regulation on Religious Affairs](#) | [Government Persecution of Falun Gong](#) | [Religious Freedom for Tibetan Buddhists](#) | [Religious Freedom for China's Catholics and China-Holy See Relations](#) | [Religious Freedom for China's Muslims](#) | [Religious Freedom for China's Orthodox Christians](#) | [Religious Freedom for China's Protestants](#)

FINDINGS

- The Chinese government continues to harass, abuse, and detain religious believers who seek to practice their faith outside state-controlled religious venues. In 2005, the government and Party launched a large-scale implementation campaign for the new Regulation on Religious Affairs to strengthen control over religious practice, particularly in ethnic and rural areas, violating the guarantee of freedom of religious belief found in the new regulation.
- The religious environment for Tibetan Buddhism has not improved in the past year. The Party demands that Tibetan Buddhists promote patriotism toward China and repudiate the Dalai Lama, the religion's spiritual leader. The intensity of religious repression against Tibetans varies across regions, with officials in Sichuan province and the Tibet Autonomous Region currently implementing Party policy in a more aggressive manner than officials elsewhere. Sichuan authorities sometimes impute terrorist motives to Tibetan monks who travel to India without permission.
- The Chinese government continues to repress Catholics. Chinese authorities are currently detaining over 40 unregistered clergy and have taken measures this year to tighten control of registered clergy and seminaries. Despite assurances of its desire to establish diplomatic relations with the Holy See, the Chinese government has not altered its long-standing position that, as a precondition to negotiations, the Holy See must renounce a papal role in the selection of bishops and break relations with Taiwan.
- The government continues to strictly regulate Muslim practices, particularly among members of the Uighur minority. All mosques in China must register with the state-run China Islamic Association. Imams must be licensed by the state before they can practice, and must regularly attend patriotic education sessions. Religious repression in Xinjiang is severe, driven by Party policies that equate peaceful Uighur religious practices with terrorism and religious extremism.
- In the past year, the Chinese government continued a campaign begun in 2002 focused on harassing and repressing unregistered Protestant groups and consolidating control over registered Protestants. Hundreds of unregistered Protestants associated with house churches have been intimidated, beaten, or imprisoned. The Chinese government opposes the relationships that many unregistered Protestant house churches have developed with co-religionists outside China.

[Introduction](#)

Religious believers in China practice their faith in the shadow of government and Party propaganda, control, and harassment. Believers who choose to worship outside state-controlled venues face detention or arrest, and in

Chinese authorities continue to persecute practitioners of Falun Gong and other qigong disciplines that the government has designated "cults." A Party-led anti-cult campaign that targeted religious and spiritual activities in rural areas, including Falun Gong practitioners, continued through late 2004.

C. CECC 2008 Annual Report

<https://www.cecc.gov/publications/annual-reports/2008-annual-report>



**CONGRESSIONAL-EXECUTIVE
COMMISSION ON CHINA**

Senator Marco Rubio, Chairman | Representative Christopher Smith, Cochairman

ABOUT	HEARINGS & ROUNDTABLES	MEDIA CENTER	ISSUES	PUBLICATIONS
-----------------------	--	------------------------------	------------------------	------------------------------

[Publications](#) » [Annual Reports](#) » [Publications](#)

2008 Annual Report

Congressional-Executive Commission on China

2008 ANNUAL REPORT

[Table of Contents](#)

[Preface](#)

[General Overview](#)

[I. Executive Summary and Recommendations](#)

[Findings and Recommendations by Substantive Area](#)

INSTRUMENTAL USE OF LAW FOR POLITICAL PURPOSES

... Pursuant to a 1999 Decision of the National People's Congress Standing Committee that established a ban on "cult organizations," the Chinese government continued to detain and punish Falun Gong practitioners and members of other spiritual and religious groups.

D. CECC 2011 Annual Report
<https://www.cecc.gov/publications/annual-reports/2011-annual-report>



CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA

Senator Marco Rubio, Chairman | Representative Christopher Smith, Cochairman

[ABOUT](#)[HEARINGS & ROUNDTABLES](#)[MEDIA CENTER](#)[ISSUES](#)[PUBLICATIONS](#)

[Publications](#) » [Annual Reports](#) » [Publications](#)

2011 Annual Report

Congressional-Executive Commission on China

2011 ANNUAL REPORT

[Table of Contents](#)

I. Executive Summary

[Introduction](#)

[Overview](#)

[Specific Findings and Recommendations](#)

I. Executive Summary INTRODUCTION

The Chinese government's misuse of the law to violate fundamental human rights continued. The Commission observed officials citing the "law" as a basis to crack down on peaceful protests; to prevent Buddhists, Catholics, Falun Gong practitioners, Muslims, Protestants, and Taoists from freely practicing their beliefs; to prevent Tibetans, Uyghurs, and other ethnic minorities from exercising autonomy despite guarantees in Chinese law; to prevent workers from independently organizing; and to clamp down on civil society organizations.

E. CECC 2015 Annual Report

<https://www.cecc.gov/publications/annual-reports/2015-annual-report>



CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA

Senator Marco Rubio, Chairman | Representative Christopher Smith, Cochairman

[ABOUT](#)[HEARINGS & ROUNDTABLES](#)[MEDIA CENTER](#)[ISSUES](#)[PUBLICATIONS](#)

[Publications](#) » [Annual Reports](#) » [Publications](#)

2015 Annual Report

Congressional-Executive Commission on China

2015 ANNUAL REPORT

I. Executive Summary

[Specific Findings and Recommendations](#)

[Political Prisoner Database](#)

II. Human Rights

[Freedom of Expression](#)

[Worker Rights](#)

[Criminal Justice](#)

[Freedom of Religion](#)

[Ethnic Minority Rights](#)

[Population Control](#)

[Freedom of Residence and Movement](#)

[Status of Women](#)

[Human Trafficking](#)

[North Korean Refugees in China](#)

[Public Health](#)

[The Environment](#)

III. Development of the Rule of Law

FREEDOM OF RELIGION

Regulatory and Policy Framework for Religion

During the Commission's 2015 reporting year, the Chinese government and Communist Party continued to restrict freedom of religion in China. China's Constitution guarantees "freedom of religious belief"¹ but limits protection of religious activities to "normal religious activities."² This narrow protection contravenes international human rights standards. Article 18 of the Universal Declaration of Human Rights (UDHR) and Article 18 of the International Covenant on Civil and Political Rights (ICCPR)—the latter of which China has signed³ and stated its intent to ratify⁴—recognize not only an individual's right to adopt a religion or belief, but also the freedom to manifest one's religion in "worship, observance, practice and teaching."⁵

The Chinese government continued to recognize only five religions: Buddhism, Catholicism, Islam, Protestantism, and Taoism. The 2005 Regulations on Religious Affairs (RRA) require groups wishing to practice these religions to register with the government and subject such groups to government controls.⁶ The government and Party control religious affairs mainly through the State Administration for Religious Affairs (SARA) and lower level religious affairs bureaus under the State Council,⁷ the Party Central Committee United Front Work Department (UFD),⁸ and the five "patriotic" religious associations—the Buddhist Association of China (BAC), the Catholic Patriotic Association of China (CPA), the Islamic Association of China (IAC), the Three-Self Patriotic Movement of Protestant Churches in China (TSPM), and the Chinese Taoist Association (CTA)⁹ among other government and Party organizations.¹⁰ As documented in this section, members of both registered and unregistered religious groups who ran afoul of state-set parameters continued to face harassment, detention, imprisonment, and other abuses.¹¹

Authorities continued to carry out a crackdown against groups they deemed "cults." The crackdown spanned multiple provinces¹² and targeted different religious communities, including Buddhists,¹³ Protestant house churches,¹⁴ and practitioners of Falun Gong¹⁵—a spiritual practice that the government continued to outlaw.¹⁶ The crackdown began in 2014,¹⁷ but new legislation this year bolstered official efforts to target "cults." For example, in July 2015, the National People's Congress Standing Committee (NPCSC) passed the PRC National Security Law,¹⁸ which explicitly banned "cult organizations."¹⁹ In August 2015, the NPCSC passed an amendment to the PRC Criminal Law that increased the maximum possible sentence for "organizing and using a cult to undermine implementation of the law"—a crime under Article 300²⁰—from 15 years to life in prison.²¹

This past year, the government and Party continued to call on officials and religious groups to ensure that religious doctrine and practices adhered to government policy and Party goals. For example, at a May 2015 UFD meeting, President and Party General Secretary Xi Jinping emphasized that "religious work . . . should comprehensively implement the Party's policy on freedom of religious belief" and to "proactively guide religion to be in keeping with

EXHIBIT 21

EXCERPTS OF DEPOSITION OF MICHAEL CHU

Page 1

1
2 UNITED STATES DISTRICT COURT
3 EASTERN DISTRICT OF NEW YORK

4 - - - - -x

5 ZHANG Jingrong, ZHOU Yanhua, ZHANG Peng,
6 ZHANG Cuiping, WEI Min, LO Kitsuen, CAO
7 Lijun, HU Yang, GUO Xiaofang, GAO Jinying,
8 CUI Lina, XU Ting, BIAN Hexiang,

9 Plaintiffs,

10 -against- 15 CV 1046 (SLT) (VMS)

11 Chinese Anti-Cult World Alliance (CACWA),
12 Michael CHU, LI Huahong, WAN Hongjuan,
13 Zhu Zirou, and DOES 1-5 Inclusive,

14 Defendants.

15 - - - - -x

16 350 Fifth Avenue
17 New York, New York
18 May 12, 2016
19 10:08 a.m.

20 DEPOSITION of MICHAEL CHU, a Defendant in
21 the above-entitled action, held at the above
22 time and place, taken before Alice Schulman, a
23 Shorthand Reporter and Notary Public of the
24 State of New York, pursuant to the Federal Rules
25 of Civil Procedure, Agreement and stipulations
between Counsel.

* * *

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPEARANCES:

HUMAN RIGHTS LAW FOUNDATION

TERRI ELLEN MARSH, ESQ. (pro hac vice)

Attorney for Plaintiffs

1615 L Street, NW, Suite 1100

Washington, D.C. 20036

-and-

DAVID CLEVELAND, ESQ.

1234 Mass. Avenue NW #1019

Washington, D.C. 20005

CATAFAGO FINI LLP

Attorneys for Defendants

CHINESE ANTI-CULT WORLD

ALLIANCE, MICHAEL CHU, LI

HUAHONG and ZHU ZIROU

350 Fifth Avenue

New York, New York 10118

BY: TOM M. FINI, ESQ.

-and-

LAW OFFICE OF EDMOND W. WONG

Attorneys for Defendants

CHINESE ANTI-CULT WORLD

ALLIANCE, MICHAEL CHU, LI

HUAHONG, ZHU ZIROU and

WAN HONGJUAN

118-21 Queens Boulevard, Suite 516

Forest Hills, New York 11375

(P.M. only.)

ALSO PRESENT:

DANA CHENG, Mandarin Interpreter

PATRICK FENG, Mandarin Interpreter (A.M.)

HENRY YAN, Videographer

* * *

1 Michael Chu

2 frequently in your brochures. Are you aware of
3 how Zhuanhua is used in China?

4 MR. FINI: Objection.

5 A. The Zhuanhua in China and my
6 understanding of Zhuanhua here myself are quite
7 different.

8 Q. So but are you aware of how -- then
9 you are aware of how it's used in China?

10 MR. FINI: Objection.

11 A. I don't quite know how they
12 interpret it, what their Zhuanhua means. But my
13 Zhuanhua would be, okay, any individual
14 humanity. When I walk on downtown Flushing
15 Street, Chinese most of it. When I see the kind
16 of, they were practicing to the extent of --

17 THE INTERPRETER: How do you
18 translate that?

19 MR. FINI: Can you answer it in
20 English?

21 A. Okay, when they truly extreme to a
22 ridiculous, to the way marriage is not anymore
23 important, studying is not anymore important,
24 working hard is not anymore important, but
25 meditation to the Falun Gong is the most

<p style="text-align: right;">Page 38</p> <p>1 Michael Chu 2 Q. So you don't have an opinion? 3 MR. FINI: Objection, 4 argumentative. 5 THE TRANSLATOR: Okay, okay, I 6 think there was one part I need to 7 translate again the question. Let me 8 translate it. 9 A. I'm not, I don't have knowledge of 10 the situation. I can't answer this question. 11 Q. Okay. You're aware that Falun Gong 12 religion or religion in quotes is characterized 13 as a, I don't know how to pronounce it, Xie Jiao 14 in China? 15 A. That I know. 16 Q. And you have also characterized 17 Falun Gong as Xie Jiao? 18 MR. FINI: Objection. 19 A. Yes, why not? Because -- 20 MS. MARSH: Could you ask him to 21 answer yes or no. 22 MR. FINI: He's allowed to answer 23 the question. 24 A. I read a lot of Li Hongzhi's books. 25 MR. FINI: Li Hongzhi. It's L-I,</p>	<p style="text-align: right;">Page 40</p> <p>1 Michael Chu 2 MR. FINI: How do you spell that? 3 THE COURT REPORTER: X-I-E, 4 J-I-A-O. 5 Q. Okay, I'm asking you to answer the 6 next question yes or no. 7 MR. FINI: If you can. If you ask 8 a question that is not answerable yes or 9 no, you can't force the witness into a 10 corner. 11 MS. MARSH: I understand that. 12 MR. FINI: So if he can, in 13 fairness, if he can, he will. But don't 14 try to bully the witness, it's not fair. 15 MS. MARSH: I have no intention to 16 bully anybody, quite honestly. But many of 17 these questions can be answered yes or no 18 and we have a lot to get through. 19 MR. FINI: We have to see. They 20 might be leading, they might have things 21 built into them. So I just want to make 22 sure. He will try to answer the question. 23 Michael, if you can answer the 24 question, answer it. 25 So go ahead, ask your question.</p>
<p style="text-align: right;">Page 39</p> <p>1 Michael Chu 2 H-O-N-G-Z-H-I. 3 A. For example, Zhuan Falun, 4 Z-H-U-A-N, F-A-L-U-N. He said, the earth have 5 been destroyed eight times, but it's not 6 destroyed because he stopped it. The nice 7 distraction was stopped by his gong power. 8 I also read, I also read in his 9 teaching that those people who got sick because 10 they have not learned his teaching well. 11 In his teaching, he said ordinary 12 people go to hospital and take medicine. And 13 those who follow the Falun Gong teaching, they 14 don't, because of their elevation, they don't 15 need to go to hospital and take medicine. 16 And there are other ridiculous 17 sayings. For example, gay is a penalty. 18 (In English.) Homosexual is 19 heaven's punishment. 20 I can give a lot of examples. I'm 21 not going to waste time here. That's why I 22 think Xie Jiao. 23 Q. Thank you very much for not wasting 24 time. 25 A. That's why I think it's Xie Jiao.</p>	<p style="text-align: right;">Page 41</p> <p>1 Michael Chu 2 MS. MARSH: The question I asked 3 preceding was a yes or no, but that's fine. 4 Q. You stand in the street in Flushing 5 and shout out very loudly Falun Gong, Xie Jiao, 6 Falun Gong, Xie Jiao very, very loudly; is that 7 correct? 8 MR. FINI: Objection. 9 Q. Yes or no? 10 MR. FINI: I'm going to repeat, if 11 the question is not answerable yes or no, 12 you can answer it as you choose. That's in 13 the federal, that's in the case law. You 14 can't force him into -- 15 MS. MARSH: I understand that. I 16 understand that. 17 A. Yes, I said that. 18 Q. Okay. Are you aware that the 19 designation Xie Jiao in China, in China, marks a 20 dissident religious group, it could be Falun 21 Gong, it could be another group, as an 22 appropriate target for both arrests and what's 23 called forced conversion? 24 MR. FINI: Objection. 25 A. I'm not sure. I'm not clear about</p>

11 (Pages 38 - 41)

<p style="text-align: right;">Page 38</p> <p>1 Michael Chu</p> <p>2 Q. So you don't have an opinion?</p> <p>3 MR. FINI: Objection,</p> <p>4 argumentative.</p> <p>5 THE TRANSLATOR: Okay, okay, I</p> <p>6 think there was one part I need to</p> <p>7 translate again the question. Let me</p> <p>8 translate it.</p> <p>9 A. I'm not, I don't have knowledge of</p> <p>10 the situation. I can't answer this question.</p> <p>11 Q. Okay. You're aware that Falun Gong</p> <p>12 religion or religion in quotes is characterized</p> <p>13 as a, I don't know how to pronounce it, Xie Jiao</p> <p>14 in China?</p> <p>15 A. That I know.</p> <p>16 Q. And you have also characterized</p> <p>17 Falun Gong as Xie Jiao?</p> <p>18 MR. FINI: Objection.</p> <p>19 A. Yes, why not? Because --</p> <p>20 MS. MARSH: Could you ask him to</p> <p>21 answer yes or no.</p> <p>22 MR. FINI: He's allowed to answer</p> <p>23 the question.</p> <p>24 A. I read a lot of Li Hongzhi's books.</p> <p>25 MR. FINI: Li Hongzhi. It's L-I,</p>	<p style="text-align: right;">Page 40</p> <p>1 Michael Chu</p> <p>2 MR. FINI: How do you spell that?</p> <p>3 THE COURT REPORTER: X-I-E,</p> <p>4 J-I-A-O.</p> <p>5 Q. Okay, I'm asking you to answer the</p> <p>6 next question yes or no.</p> <p>7 MR. FINI: If you can. If you ask</p> <p>8 a question that is not answerable yes or</p> <p>9 no, you can't force the witness into a</p> <p>10 corner.</p> <p>11 MS. MARSH: I understand that.</p> <p>12 MR. FINI: So if he can, in</p> <p>13 fairness, if he can, he will. But don't</p> <p>14 try to bully the witness, it's not fair.</p> <p>15 MS. MARSH: I have no intention to</p> <p>16 bully anybody, quite honestly. But many of</p> <p>17 these questions can be answered yes or no</p> <p>18 and we have a lot to get through.</p> <p>19 MR. FINI: We have to see. They</p> <p>20 might be leading, they might have things</p> <p>21 built into them. So I just want to make</p> <p>22 sure. He will try to answer the question.</p> <p>23 Michael, if you can answer the</p> <p>24 question, answer it.</p> <p>25 So go ahead, ask your question.</p>
<p style="text-align: right;">Page 39</p> <p>1 Michael Chu</p> <p>2 H-O-N-G-Z-H-I.</p> <p>3 A. For example, Zhuan Falun,</p> <p>4 Z-H-U-A-N, F-A-L-U-N. He said, the earth have</p> <p>5 been destroyed eight times, but it's not</p> <p>6 destroyed because he stopped it. The nice</p> <p>7 distraction was stopped by his gong power.</p> <p>8 I also read, I also read in his</p> <p>9 teaching that those people who got sick because</p> <p>10 they have not learned his teaching well.</p> <p>11 In his teaching, he said ordinary</p> <p>12 people go to hospital and take medicine. And</p> <p>13 those who follow the Falun Gong teaching, they</p> <p>14 don't, because of their elevation, they don't</p> <p>15 need to go to hospital and take medicine.</p> <p>16 And there are other ridiculous</p> <p>17 sayings. For example, gay is a penalty.</p> <p>18 (In English.) Homosexual is</p> <p>19 heaven's punishment.</p> <p>20 I can give a lot of examples. I'm</p> <p>21 not going to waste time here. That's why I</p> <p>22 think Xie Jiao.</p> <p>23 Q. Thank you very much for not wasting</p> <p>24 time.</p> <p>25 A. That's why I think it's Xie Jiao.</p>	<p style="text-align: right;">Page 41</p> <p>1 Michael Chu</p> <p>2 MS. MARSH: The question I asked</p> <p>3 preceding was a yes or no, but that's fine.</p> <p>4 Q. You stand in the street in Flushing</p> <p>5 and shout out very loudly Falun Gong, Xie Jiao,</p> <p>6 Falun Gong, Xie Jiao very, very loudly; is that</p> <p>7 correct?</p> <p>8 MR. FINI: Objection.</p> <p>9 Q. Yes or no?</p> <p>10 MR. FINI: I'm going to repeat, if</p> <p>11 the question is not answerable yes or no,</p> <p>12 you can answer it as you choose. That's in</p> <p>13 the federal, that's in the case law. You</p> <p>14 can't force him into --</p> <p>15 MS. MARSH: I understand that. I</p> <p>16 understand that.</p> <p>17 A. Yes, I said that.</p> <p>18 Q. Okay. Are you aware that the</p> <p>19 designation Xie Jiao in China, in China, marks a</p> <p>20 dissident religious group, it could be Falun</p> <p>21 Gong, it could be another group, as an</p> <p>22 appropriate target for both arrests and what's</p> <p>23 called forced conversion?</p> <p>24 MR. FINI: Objection.</p> <p>25 A. I'm not sure. I'm not clear about</p>

11 (Pages 38 - 41)

EXHIBIT 22

CACWA ARTICLES OF INCORPORATION

Tel: Page 5 of 5

2008-09-23 20:12:45 (GMT)

1001288004 From: Olen Co

080924000 406

2008 SEP 24 PM 12:47

FILED

CERTIFICATE OF INCORPORATION

OF

CHINESE ANTI-CULT WORLD ALLIANCE INC.

Under Section 402 of the Not-for-Profit Corporation Law

Filed by:
OLEN INC.
234 Hudson Ave #6566
Albany, NY 12210

September 18, 2008

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED

SEP 24 2008

TAX \$

BY:

DRDN
P-3
OLEN

Over
Type B

RECEIVED
2008 SEP 24 AM 9:18

Lili Ma Fax 201-357-2258

449

To: Page 2 of 3

2008-09-23 20:12:45 (GMT)

10012889094 From: Olen Co

080924000406

State of New York

Certificate of Incorporation
of**CHINESE ANTI-CULT WORLD ALLIANCE INC.**

Pursuant to Provisions of § 402 of the Not-For-Profit Corporation Law

It is hereby certified that:

1. The name of the corporation is:

CHINESE ANTI-CULT WORLD ALLIANCE INC.

2. The corporation is a corporation as defined in subparagraph (a)(5) of section 102 of the Not-For-Profit Corporation Law.

3. The purposes for which the corporation is formed are:

To educate society about the dangers of the Falun gong cult and its anti-human and anti-society practices.

To warn the society about emerging anti-society cults and so-called "spiritual" practices that distort human psyche.

To promote the community harmony and concord, and perform community-oriented services for harmony, mutual understanding, and peace.

4. In addition to the foregoing corporate purposes the corporation shall have all of the general powers set forth in Section 202 of the Not-For-Profit Corporation Law together with the power to solicit and receive grants, bequests and contribution for the corporate purposes.

5. The corporation is Type B corporation as defined in Section 201 of the Not-For-Profit Corporation Law.

6. The office of the corporation shall be located in the County of Queens.

7. The names and residences of the initial directors until the first annual meeting are as follows:

Shihui Li	135-25 40th Rd 2F, Flushing, NY 11354
Mike Zhou	135-25 40th Rd 2F, Flushing, NY 11354
Steven Chen	135-25 40th Rd 2F, Flushing, NY 11354

8. The Secretary of State is hereby designated as agent to the corporation upon whom process against the corporation may be served. The post office address to which the Secretary of State shall mail a copy of any such process is:

080924000406

To: Page 3 of 5

2008-09-23 20:12:45 (GMT)

10012889084 From: Olen Co

135-25 40th Rd 2F, Flushing, NY 11354

9. Said Organization is organized exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in the purpose clause hereof. No substantial part of the activities of the organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the organization shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of this document, the organization shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from federal income tax under section 501 (c)(3) of the Internal Revenue Code, or corresponding section 170 (c)(2) of the Internal Revenue Code, or corresponding section of any future federal tax code.

No substantial part of the activities of the corporation shall be carrying on propaganda or otherwise attempting to influence legislation [except as otherwise provided by IRC Sec.501(h)] or participating in or intervening in (including the publication or distribution of statements), any candidates for public office.

In the event of dissolution, all of the remaining assets and property of the organization shall, after payment of necessary expenses thereof, be distributed to such organizations as shall qualify under section 501(c)(3) of the Internal Revenue Code of 1986.

Upon the dissolution of the organization, assets shall be distributed for one or more exempt purposes within the meaning of section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the organizations then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

Nothing herein shall authorize the corporation, directly or indirectly to engage in or include among its purposes any of the activities mentioned in Section 404(b) through 404(v) of the Not-For-Profit Corporation Law.

Not with standing any other provisions of these articles, the organization is organized exclusively for one or more of the purposes as specified in Section 501(c)(3) of the Revenue Act of 1986 and shall not carry on any activities not permitted to be carried on by an organization exempt from Federal income tax under IRC 501(c)(3) or corresponding provisions of any subsequent tax laws.

To: Page 4 of 5

2008-09-23 20:12:45 (GMT)

10012989094 From: Olen Co

Nothing herein shall authorize or empower the corporation to perform or engage in any act or practice prohibited by the General Business Law Section 340 or other anti-monopoly statute of the State of New York.

In witness whereof, this certificate has been subscribed this 18 day of September, 2008, by the undersigned, who affirms that the statements herein are true under the penalties of perjury.

Dated: September 18, 2008

s/ Shihui Li
Incorporator
Shihui Li
135-25 40th Rd 2F
Flushing, NY 11354

EXHIBIT 23

EXCERPTS FROM THE CACWA SHITOU NEWSLETTER

EXHIBIT A**Affidavit of Can Sun**

My name is Can Sun.

I am fluent and competent to read, write and speak both the English and Chinese languages. I have reviewed the documents and their translations attached hereto as Attachment One and I swear that it is an accurate and correct translation to the best of my knowledge and abilities.

Based on my review of the documents excerpted in Attachment One, a significant portion of the anti-Falun Gong rhetoric in the Shitou Newsletters distributed by the Chinese Anti-Cult World Alliance are from Kaiwind.

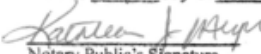
Sworn to under pains and penalties of perjury according to 28 USC § 1746.


Can Sun



STATE OF Washington
COUNTY OF King

The foregoing instrument was acknowledged before
me this 7 day of March, 2017, by Can Sun


Notary Public's Signature

Kathleen J Meyer
Notary Name

Personally Known ☒ OR

Type of Identification Produced _____

No.	Original Chinese	English Translation	Source	Status as a CCP controlled media entity
Douzheng				
1	法轮功在美国纽约皇后区法拉盛一带非常活跃，而与此同时，另一支反法轮功组织——全球华人反邪教联盟自 2008 年起也一直驻守在这里，进行着阵风相对的 斗争 。	Falun Gong is very active in the Flushing, Queens area of New York City, and at the same time, another, <i>anti</i> -Falun Gong organization, the Chinese Anti-Cult World Alliance, has since 2008 constantly guarded over this area, carrying out a spear-to-spear violent suppression [i.e., <i>douzheng</i>].	CACWA "Shitou Newsletter" Issue 10 Original article published by Kaiwind: http://anticult.kaiwind.com/kfxx/201103/10/t20110310_862364.shtml	
2	法拉盛事件后,人人痛恨 邪教 ,越来越多群众愿意公开对着“法轮功”进行反制与 斗争 。在法拉盛街头每日有十数万华人走动,反 邪教 摊子早已成为法拉盛社区反 邪教 恶势力的精神象征,是反 邪教 群众互相打气加油的小站,大大地压制 邪教 疯狂嚣张气焰。	After the Flushing incident, everyone hated the <i>xiejiao</i> , and more and more of the populace were willing to openly counter and violently suppress [i.e., <i>douzheng</i>] Falun Gong. On the streets of Flushing, every day there are hundreds of thousands of Chinese people walking around, and the [CACWA] anti- <i>xiejiao</i> booth has already become the spiritual symbol of the Flushing community's opposition to the <i>xiejiao</i> . It is the refueling and mutually-encouraging station for the anti- <i>xiejiao</i> populace, greatly suppressing the flames of the <i>xiejiao</i> 's insane clamor.		
3	我们杂志之所以在今年 6 月号上推出“ 邪教 与法轮功”特辑,是因为我们通过深入调查采访,看清了“法轮功”的真面目,并决心与“法轮功”这一 邪教斗争 到底,唤醒民众抵制“法轮功”,以确保社会的稳定和国民生活的安定。	The reason for our magazine's issuance of a special edition on ' <i>xiejiao</i> and Falun Gong' in June of this year is because we, through in-depth investigation and interviews, have discovered the truth of 'Falun Gong's' real face, and [have become] determined to violently suppress [i.e., " <i>douzheng</i> "] this <i>xiejiao</i> , 'Falun Gong,' to the very end, awake the populace to resist it, in order to ensure social stability and the orderly life of citizens	CACWA "Shitou Newsletter" Issue 30 Original article published on Kaiwind http://anticult.kaiwind.com/zlk/lshg/dcfq/200711/15/t20071115_821942.shtml	
4	法轮功“惊惶失措”的丑态,正暴露了他们欺世盗名、见不得天日的卑鄙、肮脏本质,也坚定了我和“法轮功” 邪	The grotesquely frantic pose of 'Falun Gong' exposed its deceitful and larcenous nature, its infernal vulgarity and baseness, and its filthy essence, and added to my	CACWA "Shitou Newsletter" Issue 29	

No.	Original Chinese	English Translation	Source	Status as a CCP controlled media entity
	教 组织 斗争 到底的决心和信心。 ... 公道自在人心。在社会各界的鼓励下,我自发成立了加拿大反邪教协会,坚决与“法轮功” 斗争 到底。	determination and confidence to violently suppress [i.e., " <i>douzheng</i> "] the 'Falun Gong' <i>xiejiao</i> to the very end." ... "The right path is naturally within one's heart. Under the pressure of all corners of society, I voluntarily established the Canada Anti-Cult Association, determined to violently suppress [i.e., <i>douzheng</i>] until the end against 'Falun Gong.	Original article published on Kaiwind: http://anticult.kaiwind.com/zlk/lshg/dcfq/200711/15/t20071115_821786.shtml	
Zhuanhua				
5	以智慧转化迷者	Use wisdom to <i>Zhuanhua</i> the Confused [Falun Gong believers]	CACWA "Shitou Newsletter" Issues 9 and 10	
6	我被捕后经过干警帮助彻底认清法轮功的 邪教 本质,我自觉的教育 转化 了许多在押的法轮功学员,出狱后自觉开展反对法轮功残害信徒、危害社会的活动,教育 转化 了一批学员彻底摆脱法轮功的精神控制,使他们回归到正常社会。 ... 我从事反对你和你的法轮功的活动已经多年,而且产生了较大影响,形成了支持我的粉丝群体。在我的影响和带动下,很多人自发加入到抵制法轮功和教育 转化 身边法轮功学员的行列之中。	After being arrested [for my own former practice of Falun Gong] the police officers helped me thoroughly recognize the <i>xiejiao</i> essence of Falun Gong, and I voluntarily helped to educate and forcibly convert [i.e., " <i>zhuanhua</i> "] many other detained Falun Gong practitioners; after being released from prison I voluntarily expanded my activities to counter Falun Gong activities' damage to its believers, and harm to society, educating and forcibly converting [i.e., " <i>zhuanhua</i> "] a group of Falun Gong practitioners to completely separate themselves from Falun Gong's spiritual control and return to normal society." ... "My undertaking of opposition to you and your Falun Gong's activities has already lasted many years, and has produced a relatively great impact, creating a group of fans who admire me. Under my local influence and leadership, many people have chosen to enter the ranks of those who resist Falun Gong and seek to educate and forcibly convert [i.e. " <i>zhuanhua</i> "] its practitioners.	CACWA "Shitou Newsletter" Issue 15 Original published on 天鉴网 (www.tianjian.org)	
Dehumanizing or Demonizing Language				

No.	Original Chinese	English Translation	Source	Status as a CCP controlled media entity
7	法轮功是社会的寄生虫 ... 逮住其蝇营狗苟吞食嗟来之食的尾巴	Falun Gong is a <u>parasite</u> of society ... [We will] grab their tail, which wags <u>shamelessly like a dog</u> at the food people throw at them as a result of their <u>hunting for food like flies</u>	CACWA "Shitou Newsletter" Issue 4 Original article published on Kaifeng: http://www.kaifeng.com/lyt/200806/t81397.htm	
8	反“邪教”反“人造”专刊 看“大妓院”的文章标题有感 ... 做“狗腿子”。... 发报纸、举牌子	Opposing " <u>xiejiao</u> " and " <u>the scums of humanity</u> ," a special publication on feelings after reading articles from the " <u>Great Brothel</u> " ... Acting as " <u>dog's legs</u> " ... they issue newspapers, hold up signs, etc.	Flyer of the same title (Opposing the evil cult and the dregs of humanity) Appears to be an original CACWA publication	
9	法轮功 邪教 卖国贼	Falun Gong - <u>xiejiao</u> and a Traitor Who Sold Out Its Country	Flyer distributed by CACWA calling for donations	



No.	Original Chinese	English Translation	Source	Status as a CCP controlled media entity
10		Implement the law for the people -- Attack the <u>xiejiao</u> for the benefit of the future	Flyer handed out by CACWA.	
11		Crush them [Falun Gong] with another foot	China Anti-Cult Association's "Hundred Poems and Hundred Pictures" campaign	

EXHIBIT 24

EXCERPTS OF DEPOSITION OF DR. XIA MING

Page 1

1
2 UNITED STATES DISTRICT COURT
3 EASTERN DISTRICT OF NEW YORK

4 Case No. 15 CV 1046

5 -----x

6 ZHANG Jingrong, ZHOU Yanhua, ZHANG Peng,
7 ZHANG Cuiping, WEI Min, LO Kitsuen, LI
8 Xiurong, CAO Lijun, HU Yang, GAO Jinying,
9 CUI Lina, XU Ting, and BIAN Hexiang,
10 Plaintiffs,

11 - against -

12 Chinese Anti-Cult World Alliance (CACWA),
13 Michael CHU, LI Huahong, WAN Hongjuan, ZHU
14 Zirou, and DOES 1-5 Inclusive,
15 Defendants.

16 -----x

17 July 12, 2017

18 1:50 p.m.
19
20
21
22
23
24
25

1

2 A P P E A R A N C E S:

3 HUMAN RIGHTS LAW FOUNDATION

4 Attorneys for Plaintiffs

5 1615 L Street, NW, Suite 1100

6 Washington, D.C. 20036

7 BY: TERRI MARSH, ESQ.

8 terri.marsh.hrlf@gmail.com

9 - and -

10 BELDOCK LEVINE & HOFFMAN, LLP

11 99 Park Avenue

12 New York, New York

13 BY: JONATHAN MOORE, ESQ.

14

15 CATAFAGO & FINI LLP

16 Attorneys for Defendants Chinese

17 Anti-Cult World Alliance, Michael Chu,

18 And Zhu Zirou

19 The Empire State Building

20 350 Fifth Avenue, Suite 7412

21 New York, New York 10118

22 BY: TOM M. FINI, ESQ.

23

24 ALSO PRESENT:

25 WAYNE SALINE, Videographer

1 XIA

2 Christianity begun by a charismatic
3 founder who was believed by his followers
4 to be more than human?

5 MR. FINI: Objection.

6 Q. Can you answer that question?

7 A. Yes or no. Because I think
8 on -- based upon that question I think it
9 is very difficult to give a simple answer.
10 Right.

11 Q. So let me try it this way. Do
12 you believe that Jesus Christ was a
13 charismatic founder, who was believed by
14 the followers to be -- by his followers to
15 be more than human?

16 MR. FINI: Objection.

17 A. First I am not a Christian, so I
18 respect what other Christians believe.

19 Q. Let me ask you this way: Do you
20 believe that Christianity believes that
21 Jesus Christ was a charismatic founder who
22 was believed by his followers to be more
23 than human?

24 MR. FINI: Objection.

25 A. Yes, I think -- I think. Yes,

1 XIA

2 Q. You make some comments, right?

3 A. Yes.

4 Q. Okay. Are you aware that there
5 are other religions that believe in
6 similar -- similarly to what is expressed
7 by Falun Gong with respect to alien
8 visitation?

9 MR. FINI: Objection.

10 A. I am not aware of any big
11 religions that they have taught this. I
12 am not -- I am not aware.

13 Q. Are you aware of the Mormon
14 religion that expresses that?

15 A. Sorry. I am not aware of Mormon
16 teachings.

17 Q. Specifically you are not aware
18 of whether Mormons believe in some kind of
19 alien force?

20 A. I am not aware.

21 Q. Okay. And are you aware whether
22 the Dalai Lama believes in that concept of
23 an alien visitation?

24 MR. FINI: Objection.

25 A. I can say I am a student of

1 XIA

2 cut him off but also listen to the
3 question and answer the question, but also
4 please don't cut him off. He did -- you
5 have to listen to the question. Take
6 your time. It is not a contest for speed.
7 Listen to the question and then answer the
8 question.

9 A. Because I really think when we
10 talk about individuals we have to define
11 what kind of individuals, and we do have
12 some ideas, right, in religious teachings
13 there are divine individuals. They have
14 super -- supernatural abilities.

15 Q. Right. For instance, are you
16 aware that in the Catholic religion there
17 is a belief that some individuals can and
18 have performed miracles while they have
19 been on earth? Are you aware of that?

20 A. I have never witnessed that and
21 I --

22 MR. FINI: He --

23 Q. I am not asking whether you
24 witnessed it. I am asking --

25 MR. FINI: Let me do it.

1 XIA

2 Q. I am asking whether you are
3 aware in the Catholic religion there is
4 the belief that certain individuals can
5 perform miracles or have performed
6 miracles throughout the history of
7 Catholicism?

8 A. Yes, I have -- I have read
9 something about that.

10 Q. You are aware of that?

11 A. Yes.

12 Q. And many of those people are
13 called saints, correct?

14 A. Yes, I know about that.

15 Q. All right. And on page 12 of
16 your report where you talk about -- in
17 subsection 4 you talk about Li's
18 controversial version of karma. Do you
19 see that?

20 A. Yes.

21 Q. Do you see that?

22 A. Yes.

23 Q. Are you aware of other religions
24 that have similar beliefs in karma?

25 A. Karma is a major concept in

1 XIA

2 you agree that karma is a principle that
3 is followed in Buddhism, right?

4 A. Yes.

5 Q. Okay. Now, one of the things
6 you talk about in -- under subsection 4 of
7 the controversial version of karma is that
8 Li Hongzhi's teachings are controversial
9 with respect to modern medicine, right? Is
10 that correct?

11 A. Yes.

12 Q. Are you aware of Jehovah Witness
13 teachings with respect to modern medicine?

14 A. I am not.

15 Q. Are you aware of whether Jehovah
16 Witnesses have blood transfusions?

17 A. I am not.

18 Q. Are you aware of the principle
19 of the doctrine in Jehovah Witnesses that
20 they cannot accept blood transfusions no
21 matter what the circumstances are?

22 A. I am not.

23 Q. Okay. Well, if you knew that,
24 would that change your mind about your
25 views on the -- Li Hongzhi's views about

1 XIA

2 Orthodox Judaism views homosexual acts as
3 sinful?

4 A. I am not sure. I am not aware.

5 Q. And are you aware that
6 Christian -- Christians have a variety of
7 views on the issue of homosexuality? Some
8 condemn it. Some accept it.

9 A. I am aware.

10 Q. Okay. Are you aware that
11 Pentecostal churches or the Restorationist
12 churches like Jehovah Witnesses or Mormons
13 take the position that homosexual activity
14 is sinful?

15 A. I am not aware.

16 Q. Had you been aware of that,
17 would you have made these comments about
18 Li Hongzhi's views that you attribute to
19 him about homosexuality?

20 MR. FINI: Objection.

21 Q. Does that change your mind if
22 you knew that there are a lot of religions
23 that have a view about homosexuality as
24 bad or sinful?

25 MR. FINI: Objection.

1 XIA

2 subsection 8 about how Li Hongzhi's
3 teachings are absolute directives that
4 could never be questioned. Do you see
5 that?

6 A. Yes.

7 Q. Are you aware in the Catholic
8 church that declarations of the Pope are
9 considered infallible and could not be
10 questioned?

11 MR. FINI: Objection.

12 Q. Why it's not -- I am not asking
13 you -- it is not a hard question, and I
14 don't know why you are laughing about it,
15 but are you aware of that principal --

16 A. Because -- I am laughing because
17 I have known and in my research the
18 Catholic church or Pope they have changed
19 their policies in different ways. So this
20 is why I think it is not as -- I am aware
21 of only one fact. I am aware that he has
22 different views in Catholicism.

23 Q. Are you aware in the Catholic
24 church of whether the Pope is considered
25 the direct representative God on earth and

1 XIA

2 his teaching are considered infallible?

3 Are you aware of that concept in

4 Catholicism?

5 A. At least Donald Trump is

6 contradicting that.

7 Q. I'm sorry?

8 A. At least Donald Trump is

9 contradicting that, so it is difficult for

10 me to say yes or no.

11 Q. It is funny that you would

12 relate Donald Trump to the idea of a Pope,

13 but we are beyond that.

14 One of the other controversial

15 areas you talk about on page 17 where you

16 are talking about "only the Falun Gong

17 will survive the end of days."

18 Do you see that?

19 A. Yes.

20 Q. But there are many religions,

21 are there not, that believe that those who

22 do not believe or are not believers will

23 not survive the end of days, right?

24 A. Yes, I am aware. Yes.

25 Q. Okay. And there are many

1 XIA

2 A. Yes, I have.

3 Q. And you have published academic
4 articles about Falun Gong?

5 A. Yes.

6 Q. And you published articles about
7 different aspects of Falun Gong, correct?

8 A. Yes.

9 Q. Including spiritual aspects,
10 correct?

11 A. Yes.

12 Q. And do you remember your
13 testimony earlier you said I think you
14 testified that you're not a
15 religious -- you're not a scholar of
16 religion. Do you remember you testified
17 to that?

18 A. No, I am not. Technically I am
19 a political scientist. Even I have done
20 my research through interdisciplinary
21 angle, so I have written things from a
22 sociological religious perspective beyond
23 the political prospective, but I do
24 not -- technically I am not a scholar of
25 religion.

1 XIA

2 A. Yes.

3 Q. Do you see that?

4 A. Yes.

5 Q. In your report?

6 A. Yes.

7 Q. You don't in the course of your
8 opinion render an opinion --

9 MR. MOORE: Withdraw that.

10 Q. You do not in this report render
11 an opinion as to whether you believe the
12 Falun Gong is a religion, do you, in your
13 report? In your report do you indicate,
14 state one way or the other whether you
15 believe Falun Gong is a religion?

16 MR. FINI: We will stipulate he
17 does not. He -- the answer is you do
18 not.

19 A. I think --

20 MR. FINI: That is the answer.

21 Q. Were you asked to render an
22 opinion about whether Falun Gong is a
23 religion?

24 MR. FINI: No. He was not.
25 I can stipulate you were not.

1 XIA

2 MR. MOORE: Okay.

3 A. As I said --

4 MR. FINI: That is the
5 question. It is a YES or no question.

6 MR. MOORE: So stipulated. All
7 right. Fine.

8 A. Yes.

9 Q. Okay. So are you aware of any
10 materials or sources that have accepted
11 the proposition that the Falun Gong is a
12 religion?

13 MR. FINI: Objection.

14 Q. Just yes or no. Are you aware
15 of any sources that say whether or not the
16 Falun Gong should be considered a
17 religion?

18 MR. FINI: Just to clarify
19 including academic books and --

20 MR. MOORE: Anything, any
21 source. Anybody.

22 MR. FINI: Just ye or no.

23 A. If it's controversial --

24 MR. FINI: Listen, Ming. He
25 asked whether anybody offered an opinion

EXHIBIT 25

EXPERT REPORT BY DR. ARTHUR WALDRON



Department of History
208 College Hall
Philadelphia, PA 19104-6379
Tel 215.898.8452
Fax 215.573.2089
<http://www.history.upenn.edu>

Expert Report

My name is Arthur Waldron. I have been the Lauder Professor of International Relations at the University of Pennsylvania since 1997. I received my A.B. from Harvard as *summa cum laude* Valedictorian in 1971, and my Ph.D. from Harvard in 1981. I have previously taught at Princeton University, the U.S. Naval War College, and Brown University. My publications include: *The Great Wall of China: From History to Myth* (1989); *The Modernization of Inner Asia* (1991); *How the Peace Was Lost: The 1935 Memorandum "Developments Affecting American Policy in the Far East" Prepared for the State Department by John Van Antwerp MacMurray* (1992); *From War to Nationalism: China's Turning Point, 1924-1925* (1995); and (with Daniel Moran) *The People in Arms: Military Myth and National Mobilization since the French Revolution* (2003).

In addition I have published fourteen articles in peer reviewed journals, ten chapters in books, and two edited volumes in Chinese, as well numerous scholarly and popular reviews and journalistic essays. In government, I served as one of twelve members of the highly-classified Tilelli Commission (2000-2001), which evaluated the China operations of the Central Intelligence Agency. I was also an original member of the Congressionally-mandated U.S-China Economic and Security Review Commission (2001-2003). I am a member of the Council on Foreign Relations and former Director of Asian Studies at the American Enterprise Institute. See attached curriculum vitae.

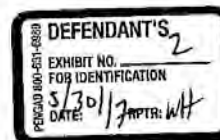
Based on my extensive research on and familiarity with China's history and society, particularly the late-Qing to early Communist period that formed the basis for current dynamics between the Communist Party and religious groups or their adherents, the opinions I express in my expert submission are as follows:

1) That Falun Gong is properly considered a religion by any relevant set of objective criteria.

This faith practice is part of a broader religious tradition with ancient roots in East Asia, particularly in China. That tradition, in turn, is closely related to both Buddhism and Daoism, but also has a more general cultural background in Chinese cosmological beliefs, cultural forms, and ethical teachings dating from the earliest historical records. The basic elements of this tradition are the combination of cultivation of the mind and soul via meditation with the use of various kinds of physical exercises to discipline the body. These elements are also joined with moral and ethical guidelines to structure or influence the behavior of those who are members of these faith communities. In each of these aspects, as well as in its social dimension as a community of believers in China and abroad, Falun Gong is more appropriately defined as a "religion" than as any other form of interpersonal grouping, e.g. one that is purely political, economic, or arts and culture oriented.

It would be difficult for any specialist in Asian religions to assert that Falun Gong does not clearly represent an example of one such religion. Falun Gong's religious teachings are comparable to those of a broader Buddhist, Daoist, and traditional Chinese cosmology. The believers of Falun Gong refer to themselves as part of a larger "Buddhist School" of faith practices, and their main religious text, *Zhuan Falun*, contains sections discussing the historical Buddha, Sakyamuni, as well as their interpretation of Zen Buddhism and of several other figures and ideas from Buddhist history and scripture. These include

UNIVERSITY of PENNSYLVANIA





Department of History
208 College Hall
Philadelphia, PA 19104-6379
Tel 215.898.8452
Fax 215.373.2089
<http://www.history.upenn.edu>

reincarnation, the idea of karma (that doing good deeds will result in good outcomes, while evil deeds will lead to misfortune), and the importance of maintaining compassion for all living beings. Meanwhile, Falun Gong adherents also emphasize many of the concepts and principles of Daoism, such as the need to "follow the course of nature" (*shun qi zi ran*) and instead of imposing one's own will upon the world or other individuals, to seek to "do without doing" (*wu wei*).¹

While the content and structure of Falun Gong as a religion are derived largely from uniquely Chinese or broader Asian traditions, its current role as a faith community in Chinese society is similar in many ways to that of Christian groups and others drawing from a wide range of global religious practices. Many of the apparently informal characteristics of Falun Gong as a religion can be explained by these circumstances, which are shared by any religious group that does not allow itself to be directly affiliated with and managed by the Communist Party. Christianity, for example, is officially recognized only in the form of the state-managed denominations the Protestant Three-Self Church, the China Christian Council, and the Chinese Patriotic Catholic Church.²

Any Christian community or church that rejects subordination to these state-run "patriotic" organizations, and the Communist Party bureaucracy that manages their affairs and decides their ideological content, is thus unrecognized and risks various forms of pressure from security forces. This can range from the removal of publicly-displayed crosses or the shutting down of festivals and masses to, in the more extreme cases, detention and imprisonment for engaging in unofficial religious activities. From the humblest "house church" of a handful of believers to the largest Protestant denominations or the whole body of Vatican-following Catholic believers, all are viewed by the Party as illegitimate if they reject its management and control.³

Falun Gong, similarly, is not recognized as a legitimate religion by the Communist Party. Instead, they use the strongest available term of condemnation to characterize it as wicked and illegitimate: *xie jiao*, literally "heretical religious teaching." However, as should be obvious, no objective observer should simply accept the Chinese Communist Party's definitions as to what is a true religion and what is heretical or illegitimate. Falun Gong exhibits all of the characteristics of a religion in its Buddhist and Daoist-influenced teachings, its traditional meditation practices, and its function as a moral and ethical community. Indeed, international observers including the U.S. State Department,⁴ the U.S. Commission on International Religious Freedom,⁵ the U.N. Special Rapporteur on Freedom of Religion or Belief,⁶ and others, rightly treat Falun Gong as a religion.

¹ All of the concepts and terms noted in this paragraph are expounded in the main religious text of Falun Gong. See Li Hongzhi, *Zhuan Falun*, (Universe Publishing Company, 1999); the association of these views with Asian religious traditions is also reflected in various academic analyses of Falun Gong, e.g., Benjamin Penny, *The Religion of Falun Gong*, (University of Chicago Press, 2012). Penny's book is an academic examination of Falun Gong texts, primarily *Zhuan Falun*, analyzed primarily in connection with their precedents in Chinese religious history. His conclusion is that Falun Gong "is, in all meaningful ways, a religion." Penny, *The Religion of Falun Gong*, at 225.

² See, e.g. Arthur Waldron, "Religion and the Chinese State," in Mark Silk, ed., *Religion on the International News Agenda*, (Pew Program on Religion and the News Media, 2000).

³ *Id.*; see also Arthur Waldron, "Religious Revivals in Communist China," *Orbis* (Spring 1998).

⁴ See, e.g. U.S. State Department, International Religious Freedom Report, 2007.

⁵ U.S. Commission on International Religious Freedom, 2013 Annual Report ("The Chinese government continued its fourteen-year campaign to eradicate Falun Gong activity and pressure practitioners to renounce their beliefs").



Department of History
208 College Hall
Philadelphia, PA 19104-6379
Tel 215.898.8452
Fax 215.573.2089
<http://www.history.upenn.edu>

2) That Chinese authorities' suppression of Falun Gong is a particularly pronounced example of a general policy of restricting or attacking religious groups outside of Communist Party control.

The Chinese Communist Party's aggressive efforts to eliminate Falun Gong and to forcibly "reeducate" its practitioners in fact stem from the latter's status as a religion. This treatment is simply an extreme example of a pattern of hostility towards religious groups that dates back to the earliest years of the PRC, if not earlier. From the 1950s on, the Communist Party used coercion and propaganda to discourage private religious activity and to seek to restrict religious expressions or affiliations. At the higher level, broad religious organizations had to be affiliated with the Communist Party either directly or via one of the aforementioned Party-affiliated religious organizations. At the local level, particular churches, mosques, and temples would be managed by the Party authorities in whose jurisdiction they fell.⁷

Harassment or arrest of those who sought to practice religious beliefs or form religious communities outside of this oversight, either at the national or local level, was a common phenomenon. Religious practice was thus severely restricted, but not outright banned. However, during the Cultural Revolution from 1966 to 1979, as part of a general assault on all ideologically-suspect individuals, groups, and practices in society. Churches, temples, shrines, and other places of worship were destroyed en masse, and religious believers targeted for often violent "struggle sessions" by Red Guards. Any public display of religious faith or affiliation could be the spark for violent assault, destruction of property, imprisonment, or other such forms of Party-sanctioned aggression.⁸

Following the Cultural Revolution, Chinese authorities gradually allowed greater religious freedom, still subject to official oversight. However, the rapid spread and revitalization of religion during this period surprised and disturbed authorities, who were concerned by any source of social authority and identity outside of Party control.⁹ By the 1990s the Party had resuscitated and even intensified the practices of management, pressure, and coercion that it had instituted during the 1950s, to ensure that no individual in Chinese society could safely and comfortably affiliate themselves with any disfavored, independent religious group.¹⁰ The campaign to suppress Falun Gong, launched in 1999, was justified in these terms, with calls for Party members to "uphold science," (meaning Marxist ideology) and to help eradicate Falun Gong as a form of heretical "superstition."¹¹

⁷ Louis Charbonneau, "U.N. envoy defends Falun Gong, 'evil cult' for China," Reuters, October 21, 2010. Available at: <http://www.reuters.com/article/us-un-religion-idUSTRE69K61O20101021>.

⁸ Waldron, *supra* note 2 at 25.

⁹ *Id.*; for accounts of the persecution faced by religious practitioners during this period, see also, e.g., Bao Ruowang (Jean Pasqualini) and Rudolph Chelminski, *Prisoner of Mao* (New York: Penguin, 1976).

¹⁰ Waldron, *supra* note 2 at 28; for an account of the simultaneous, related phenomenon of the loss of legitimacy of Marxism as a governing ideology, see also, e.g., X. L. Ding, *The Decline of Communism in China: Legitimacy Crisis, 1977-1989* (Cambridge: Cambridge University Press, 1994).

¹¹ Waldron, *supra* note 2 at 33.

¹² See, e.g., Congressional-Executive Commission on China, *2012 Annual Report*, 2-5 (October 10, 2012) ("A campaign to eliminate Falun Gong and 'transform' its practitioners entered its third year ... Religious worshippers of all faiths—including Buddhists, Catholics, Falun Gong practitioners, Muslims, Protestants, and Taoists—and civil society groups cannot freely associate and are subject to heavy government oversight.");



Department of History
208 College Hall
Philadelphia, PA 19104-6379
Tel 215.898.8452
Fax 215.573.2089
<http://www.history.upenn.edu>

Though the attempt to suppress Falun Gong has led to illegal detentions, acts of violence, and deaths in Party custody, it continues to persist as an independent faith community in China and abroad. Rather than simply a "marginal" phenomenon, it is one important representative of a broader, gradual pattern in which Chinese citizens are stubbornly persisting in identities and communities of faith that the Party seeks to discourage or eliminate. In doing so, they have established religion as, perhaps unexpectedly, one of the most powerful forces contributing to a nascent, independent Chinese civil society.

Based upon my years of expert study, looking at criteria as to what permits one to judge a practice as a religion in China, it is my opinion to reasonable degree of professional certainty that Falun Gong is and should be treated as a religion. Copies of all sources used to summarize or support this view have been provided to Defendants' counsel via the U.S. mail and are also listed just below in the attached appendix.

My compensation is as follows: \$2500.00 for the enclosed report; \$400.00 an hour for any testimony I provide; and such travel costs as I incur related directly to the study and testimony provided in this case.

By

/s/ Arthur Waldron

Arthur Waldron
Lauder Professor of International Relations
University of Pennsylvania

Appendix of Sources Consulted

Bao Ruo-wang (Jean Pasqualini) and Rudolph Chelminski, *Prisoner of Mao* (New York: Penguin, 1976)

Louis Charbonneau, "U.N. envoy defends Falun Gong, 'evil cult' for China," Reuters, October 21, 2010. Available at: <http://www.reuters.com/article/us-un-religion-idUSTRE69K61Q20101021>

Congressional-Executive Commission on China, *2012 Annual Report*, 2-5 (October 10, 2012)

Li Hongzhi, *Zhuan Falun*, (Universe Publishing Company, 1999)

Benjamin Penny, *The Religion of Falun Gong*, (University of Chicago Press, 2012)

U.S. Commission on International Religious Freedom, 2013 Annual Report

U.S. State Department, International Religious Freedom Report, 2007

UNIVERSITY of PENNSYLVANIA



Department of History
208 College Hall
Philadelphia, PA 19104-6379
Tel 215.898.8452
Fax 215.573.2089
<http://www.history.upenn.edu>

Arthur Waldron, "Religious Revivals in Communist China," *Orbis* (Spring 1998)

Arthur Waldron, "Religion and the Chinese State," in Mark Silk, ed., *Religion on the International News Agenda*, (Pew Program on Religion and the News Media, 2000)

X. L. Ding, *The Decline of Communism in China: Legitimacy Crisis, 1977-1989* (Cambridge: Cambridge University Press, 1994)

Appendix of Publications

BOOKS:

How the Peace Was Lost: The 1935 Memorandum "Developments Affecting American Policy in the Far East" Prepared for the State Department by John Van Antwerp MacMurray (Stanford University: Hoover Archival Documentaries, 1992). Japanese Edition: *Heiwa wa ika ni ushinawareta* tr. Hiroshi Kinugawa, with Introduction by Professor Shin'ichi Kitaoka (Tokyo: Hara Shobo, 1997)

From War to Nationalism: China's Turning Point, 1924-1925 (Cambridge: Cambridge University Press, 1995). Chinese edition: Cambridge University Press/Peking University Press, forthcoming.

The Great Wall of China: From History to Myth (Cambridge: Cambridge University Press, 1989). Selection of The History Book Club, U.S.A; Italian Edition: *La Grande Muraglia: Dalla Storia al Mito* Prefazione di Gabriele Foccardi (Turin: Giulio Einaudi editore, 1993). Selection of Club degli Editori, Italy. Paperback ed. Cambridge: Canto, 1992. Chinese edition: Cambridge University Press/Peking University Press, forthcoming.

Books published only in Chinese:

Zhongguo jiaohui daxue shi luncong [Essays on the History of Denominational Colleges in China] (Chengdu: Sichuan daxue chubanshe, 1995). Editor with Gu Xuejia and Wu Zonghua

Zhong-Xi wenhua yu jiaohui daxue [Chinese and Western Culture and Denominational Colleges in China] (Wuhan: Hubei jiaoyu chubanshe, 1991). Editor with Kaiyuan Zhang.

BOOKS EDITED:

Mao's Road to Power: Revolutionary Writings, 1912-1949. Vols IX and X (1945-49) edited with Stuart Schram (1924-2012) Extensive introduction (Armonk, NY: Sponsored by Harvard University. (Armonk, N.Y: M. E. Sharpe, forthcoming)

Mao on Warfare edited anthology with introduction ((New York: CN Times Books, 1973)

UNIVERSITY of PENNSYLVANIA



Department of History
208 College Hall
Philadelphia, PA 19104-6379
Tel 215.898.8452
Fax 215.573.2089
<http://www.history.upenn.edu>

The People in Arms: Military Myth and National Mobilization since the French Revolution ed. with Daniel Moran, Cambridge University Press, 2003)

Mao Tse-Tung on Guerrilla Warfare 1961 Introduction and Translation by Samuel B. Griffith, Jr. Brigadier General, USMC, Introduction To Second Edition by Arthur Waldron and Edward O'Dowd (PhD, Col., USA Ret.) Norwalk, CT The Easton Press, 1996.

The Modernization of Inner Asia (Armonk, N.Y.: M. E. Sharpe, 1991). With Cyril E. Black, Louis Dupress, Elizabeth Endicott-West, Daniel Matuszewski and Eden Naby.

BOOKS IN PROGRESS:

The Chinese: A History of Their Present. For the series, "The Peoples of Asia," Published by Blackwell/Wiley (England), edited by Morris Rossabi. Forthcoming.

CHAPTERS IN BOOKS:

[selection]

"The End of Communism" in Will China Democratize? Ed. Andrew J. Nathan, Larry Diamond, and Marc F. Plattner (Baltimore, MD: The Johns Hopkins University Press, 2013), pp. 77-83.

"China, Natural Law, and Economics: *The Discourses on Salt and Iron*" in Samuel Gregg and Harold James, ed. Natural Law, Economics, and the Common Good (St. Andrews Studies in Philosophy and Public Affairs (Exeter, UK: Imprint Academic 2012), pp. 38-64.

"China and the United States: The Jostling Begins" in The Rise of China: Implications for India and Beyond ed. Harsh V. Pant (New Delhi: Cambridge University Press India Pvt Ltd, 2013), pp. 139-165.

"Walls in Chinese History" in Walls and Wall Building in China ed. Roger des Forges et al (Ithaca, N.Y. Cornell University Press, 2009), pp. 3-35.

"Mao Lives" in Was Mao Really a Monster? The academic response to Chang and Halliday's Mao the Untold Story ed. Gregor Benton and Li Chun (London: Routledge, 2010), pp. 165-175.

"Managed Spontaneity in Rural Political Violence in China" in Political Violence: Belief, Behavior, and Legitimation. Festschrift for Robert Conquest ed. Paul Hollander (New York: Palgrave-Macmillan, 2008) pp. 127-142.

UNIVERSITY of PENNSYLVANIA



Department of History
208 College Hall
Philadelphia, PA 19104-6379
Tel 215.898.8452
Fax 215.573.2089
<http://www.history.upenn.edu>

"Introduction" China and Africa: Selected Articles from China Brief (Washington, D.C.: Carnegie Endowment and Jamestown Foundation, 2008)

"Nixon and Taiwan in 1972: The Week that Didn't Change the World." In The 'One China' Dilemma ed. Peter C. Y. Chow, foreword by Robert Scalapino (New York: Palgrave-Macmillan, 2008), pp. 159-178.

"Foreword" to The Art of War: Sun Zi's Military Methods translated and with an introduction by Victor Mair (New York: Columbia University Press, 2007), pp. xi-xvii

"Viewing the Future through History" in Rising India: Friends and Foes ed. Prakash Nanda (New Delhi and Olympia Fields, IL: Lancer Publications, 2007), pp. 1-31.

"China Without Tears: If Chiang Kai-shek had not gambled in 1946" in What If? ed. Robert Cowley (New York: Putnam, 1999) pp. 377-400.

Extensive new introduction to Bertold Spuler, The Mongol Period: History of the Muslim World (Princeton, N.J.: Markus Wiener, 1995).

"Chinese Strategy from the 14th to the 17th Centuries" in The Making of Strategy: Rulers, States, and War, ed. Williamson Murray, MacGregor Knox, and Alvin Bernstein (Cambridge University Press, 1994), pp. 85-114.

"From Nonexistent to Almost Normal: American relations with the People's Republic of China" in The Crucial Decade: American Foreign Policy During the 1960s, ed. Diane B. Kunz (New York: Columbia University Press, 1994), pp. 219-250.

"Representing China: The Great Wall and Cultural Nationalism in the Twentieth Century," in Cultural Nationalism in East Asia, edited by Harumi Befu (Berkeley: Institute of East Asian Studies, University of California, Berkeley: 1993), pp. 36-60.

SCHOLARLY ARTICLES:

[selection]

"How the East Asian Crisis Will Change International Relations" *Asia-Pacific Review*, 23.2 (2016), pp. 1-26

"Legacy Problems: China's Taiwan Dilemma" *Orbis* 60.4 (Fall 2016):1-24

"Will Four Simmering Crises Boil Over?" *Orbis* 60.2 (Spring 2016): 162-187.

UNIVERSITY of PENNSYLVANIA



Department of History
208 College Hall
Philadelphia, PA 19104-6379
Tel 215.898.8452
Fax 215.573.2089
<http://www.history.upenn.edu>

アーサー・ウォルドン 社会革命と軍事的勝利 軍事史学 51.4 平成28年3月 : 38-59

[Arthur Waldron "Social Revolution and Military Victory"] *The Journal of Military History*, ed. The Military History Society of Japan 51.4 (March 2016): 38-59.] Presented as Keynote at Fiftieth Anniversary Conference of the Society "The Total War and the Cold War: Two Wars in the 20th Century" Tokyo, Japan August 1-2, 2015.

"The China Mess: How Things Did Not Turn Out As Planned" *Orbis* 59.2 (Spring 2015): 143-166.

"Japan's Security Choices in a Changed Security Environment" *Asia-Pacific Review* 21.3 9 (November 2014): 195-212. [The journal of the International Institute for Policy Studies, Tokyo, Japan]

"China's 'Peaceful Rise' Enters 'Turbulence'" *Orbis* 58.2 (Spring 2014): 164-181.

"The China Threat" *National Review* (2014).

"John Van Antwerp MacMurray: A Wilsonian Realist Follows the China Star, 1914-1935," *Princeton University Library Chronicle*, 69, no. 3 (2008), 465-86"

"China's New Remembering of the Second World War: The Case of Zhang Zizhong," *Modern Asian Studies* 30.4 (October 1996): 945-78

"China's Constitutional Challenges" *Orbis* (1995)

"Scholarship and Patriotic Education: The Great Wall Conference, 1994," *China Quarterly* September 1995: 192-198.

"'Modern Warfare in China': Soviet Film Propaganda in support of Chinese Militarist Zhang Zuolin." *Historical Journal of Film, Radio and Television* 15.3 (1995): 407-424. With Nicholas J. Cull.

"War and the Rise of Nationalism in Twentieth-Century China: The May 30th Movement Reconsidered," *Journal of Military History* 57.5 (October 1993): 87-104.

"Government Power and the Chinese Student Movement: The Warlords, the KMT, and the CCP" *Chinese Studies in History* 25.3 (Spring 1992): 57-71.

"The Warlord: Twentieth Century Chinese Understandings of Violence, Militarism, and Imperialism" *The American Historical Review* 96.4 (October, 1991): 1073-1100.

UNIVERSITY of PENNSYLVANIA



Department of History
208 College Hall
Philadelphia, PA 19104-6379
Tel 215.898.8452
Fax 215.573.2089
<http://www.history.upenn.edu>

"Warlordism versus Federalism: The Revival of a Debate?" *The China Quarterly* No. 121 (March 1990): 116-128.

"Theories of Nationalism and Historical Explanation" (review article) *World Politics* 37.3 (April 1985): 416-4

"The Problem of the Great Wall of China," *Harvard Journal of Asiatic Studies* 43.2(1983): 629-49.

OTHER PUBLICATIONS including articles, book reviews, upscale and main stream media, etc. also many interviews.

"Red Scarcity" *The New Criterion* 32.2 (October 2013): 18-22.

"Put China on Notice: The U.S. will defend its interests" *National Review* \ 66.17 (22 September 2014), pp. 21-22.

2016

Taipei Up Newspaper 台北上報 November 12, 2016 "林霽：川普勝出 台灣不再是孤立之地 "After election Taiwan will become a less isolated place."

Wall Street Journal October 31, 2016 "Notable & Quotable: You Die, I Win: 'The official Chinese reaction will be, 'We have successfully intimidated Washington to the point she won't even mention us'. ' An extensive quotation from my October 2 Keynote at NYU.

Below is regarded as a major story of academic importance: that the Chinese and Taiwanese secretly colluded dealing with Kissinger and Nixon, without the slightest American knowledge. Short book in prospect.

"How secret were Washington's talks with China? Taipei had advanced knowledge of then US-president Nixon's secret China diplomacy as it progressed, long before the talks were made public" *Taipei Times* July 21, 2016, pp. 13-14.

This article made public for the first time the startling discovery that Zhou Enlai had secretly kept Chiang Kai-shek fully informed of Mr. Kissinger's "Secret" China diplomacy, from at least 1969 on, as Scholar/Diplomat Jay Taylor had determined using sources in Taiwan, and as ANW confirmed, using Chinese sources.

"Fear and Loathing in Beijing: They understand the importance of Hong Kong—we should too," *The Weekly Standard* 22.2 (September 19, 2016), pp. 22-23.

"Letter from China: Stomachs full of qi," *The New Criterion* 35.2 (October 2016), pp 30-33.

UNIVERSITY of PENNSYLVANIA



Department of History
208 College Hall
Philadelphia, PA 19104-6379
Tel 215.898.8452
Fax 215.573.2089
<http://www.history.upenn.edu>

Numerous interviews on the John Batchelor show (radio)

One hour one on one interview, 12:00-1:00 PM John Batchelor Show (radio)

Interview with Radio Australia's NPR type affiliate, with Annabelle Quince, one hour 30 March 2017.

ACADEMIC PANELS AND TALKS:

[selection]

Invited Speaker: Conference "Why We Fight Wars" Cantigny, Chicago March 24-26 2017.

Invited Guest and Speaker: Conference on Mao Zedong's Collaboration with Japanese, Professor Endo Homare, Tsukuba University and Chinese Academy of Social Sciences. Tokyo 5-6 January 2017. Proceedings to be published in Japanese.

Keynote Speaker: "International Conference 紐約國際會議
Neo-totalitarian Turn? Or Any Possibility for Democratization?
—Xi Jinping, Inter-elite Conflict and Societal Resistance in China"
2 October 2016 New York University

Published online as: **Chinese Leaders Are Living in a Dangerous Illusion**
by *China Change*
Arthur Waldron, October 17, 2016

Keynote Speaker at Fiftieth Anniversary Conference of the Japan Society for Military History "The Total War and the Cold War: Two Wars in the 20th Century" Tokyo, Japan August 1-2, 2015.

Japan Institute for National Fundamentals, Keynote Address Tokyo 25 December 2014

Japan Economic Times [Nihon Keizai Shimbun] Summer Forum, Speaker, 2013, 2012.

"What Did China Learn from the Disintegration of the Soviet Union?" Conference at Princeton University.

"The World 1989" October 22-25 2009.

Keynote Speaker, opening of exhibition "William Edgar Geil (1865-1925) Doylestown's Famous Evangelist Explorer." Doylestown Pennsylvania Historical Society, May 28, 2009

UNIVERSITY of PENNSYLVANIA

EXHIBIT 26

EXCERPTS OF *THE RELIGION OF FALUN GONG* BY DR. BENJAMIN PERRY

The Religion of Falun Gong

BENJAMIN PENNY

The University of Chicago Press Chicago and London

TRANSFORMATIONS

of a movement with millions of adherents and continues as its spiritual master with privileged access to the truth.

The profoundly religious nature of Falun Gong has been a major concern of this book, but the fact remains that one thing the Chinese authorities and Falun Gong itself agree on is that it is not a religion. In the first chapter, I explained that this denial is partly due to the very particular—and politicized—definitions of *religion* that hold sway under the People's Republic of China, and the immediate consequences Falun Gong would have suffered if it claimed to be one. Moreover, Falun Gong is not regarded as religion by its practitioners partly because Li Hongzhi declares it not to be, and also because their activities do not fit with their conception of what a religion looks like. Falun Gong has no buildings, no employed professional clerics, and no objects of veneration. A Falun Gong adherent does not attend a mosque to pray, or burn incense in a temple on designated days of the year, or partake of bread and wine in a regular ritual. And probably most important, unlike the five authorized religions in the People's Republic, Falun Gong is not centuries old.

On the other hand, to reiterate observations made in chapter 1, Falun Gong practitioners revere a leader whom they believe proclaims an eternal truth; who transcends all dimensions of the cosmos; who protects them in their cultivation, no matter where they are on its path; and who alone must perform spiritual transformations for them to progress toward Consummation. Li Hongzhi teaches about a cosmos no ordinary person can see, describes the existence of gods and other beings beyond our perception, offers an explanation for our existence on the earth, and brings with him a means by which we may regain our divine status. Practitioners read and reread his scripture, which is apparently of such profundity that its language cannot be restricted by standard grammar; its every printed word contains a holy image. They live by a set of moral principles that form the material basis of the cosmos and without which their attempts at bodily cultivation would fail. They have a set of spiritual exercises they are enjoined to perform at regular intervals, and—when they are allowed to do so—join with their fellows in mass gatherings to share their spiritual insights. These aspects of Falun Gong, I contend, demonstrate that it is, in all meaningful ways, a religion.

Thus, Falun Gong has represented an important focus of religious expression in China, but the fact that practitioners have not regarded themselves as “religious” points to a major and unacknowledged transformation in contemporary Chinese religiosity—that is, to the existence of mass religion that escapes the conventional, government-defined

EXHIBIT 27

EXCERPTS OF DEPOSITION OF DR. ARTHUR WALDRON

1
2 UNITED STATES DISTRICT COURT
3 EASTERN DISTRICT OF NEW YORK

4 ZHANG Jingrong, ZHOU Yanhua, ZHANG Peng,
5 ZHANG Cuiping, WEI Min, LO Kitsuen, LI
6 Xiurong, CAO Lijun, HU Yang, GAO Jinying,
7 CUI Lina, XU Ting, and BIAN Hexiang,

8 Plaintiffs,

9 -against-

10 Chinese Anti-Cult World Alliance (CACWA),
11 Michael CHU, LI Huahong, WAN Hongjuan, ZHU
12 Zirou, and DOES 1-5 Inclusive,

13 Defendants.

14 No. 15 CV 1046

15
16
17
18
19
20
21
22
23
24
25
May 30, 2017
1:26 p.m.

DEPOSITION of ARTHUR WALDRON,
taken by Defendants, pursuant to Court
Order, held at the offices of VERITEXT
LEGAL SOLUTIONS, 1250 Broadway, New York,
New York before Wayne Hock, a Notary
Public of the State of New York.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A P P E A R A N C E S:

HUMAN RIGHTS LAW FOUNDATION

Attorneys for Plaintiffs

1615 L Street, NW

Washington, D.C. 20036

BY: TERRI MARSH, ESQ.

-and-

BELDOCK, LEVINE & HOFFMAN, LLP

99 Park Avenue

New York, New York 10016

BY: JOSH WOSKOVITZ, ESQ.

CATAFAGO FINI LLP

Attorneys for Defendants

CHINESE ANTI-CULT WORLD ALLIANCE

MICHAEL CHU

ZHU ZIROU

350 Fifth Avenue

New York, New York 10118

BY: THOMAS M. FINI, ESQ.

* * *

Page 67

1 A. Waldron

2 practitioners. Can't they explain that?

3 What are you offering as an expert?

4 MR. WOSKOVITZ: Objection.

5 You can answer.

6 THE WITNESS: Look, I know
7 enough about Chinese religion and
8 about Falun Gong to be perfectly
9 capable to answer this.

10 Q. But you've read only a few works
11 by Li Hongzhi; correct?

12 A. I've probably read more than
13 most people have. Furthermore, in
14 graduate school, I have studied Buddhism
15 from original Chinese texts.

16 Q. You translated one; correct?

17 A. Do you have any idea how long it
18 took to translate that text?

19 Q. I understand. But it's one
20 Buddhist text.

21 It was Buddhist text you're
22 talking about?

23 A. Yes, exactly.

24 Now, do you have how long it
25 took to translate that text?

1 A. Waldron
2 have no familiarity whatsoever with
3 anything except these highly tendentious
4 lists, I have no opportunity to use my
5 expertise to help you to understand what
6 Falun Gong is about.

7 Q. So if you look at the top it
8 says, "I'd like to make it clear that we
9 are most definitely not forming some
10 organized religion here. If you want to
11 come and learn our practice, you may come.
12 And if you don't want to learn it, you may
13 leave. It's all voluntary."

14 Do you see that?

15 A. Yes, and that's what I told you
16 a few questions ago.

17 Q. So you agree that Li Hongzhi
18 stated that he was not forming some
19 organized religion; correct?

20 MR. WOSKOVITZ: Objection.

21 THE WITNESS: Organized is the
22 key word here.

23 Q. Now, in the next -- if you look
24 two down it says, "it, science, is a
25 religion."

1 A. Waldron

2 non-Jewish person -- for example, I have a
3 friend who went to high school with me and
4 then he married a Jewish woman and he
5 wanted to become Jewish. He had to take
6 classes and be recognized by the rabbi to
7 be Jewish, correct, as being Jewish;
8 correct?

9 MR. WOSKOVITZ: Objection.

10 THE WITNESS: Well, this --
11 again, you are opening an incredibly
12 complicated set of questions which is
13 what is a Jew. And the Orthodox
14 position on what is a Jew and the
15 conservative position and the reformed
16 position are very, very different.

17 Q. But there's an organization;
18 isn't there? In the Jewish religion,
19 there's a formal organization?

20 A. No.

21 Q. What about temples?

22 A. They are independent bodies.
23 They are affiliated with a number of
24 different groupings, such as Orthodox
25 Judaism which has many different

1 A. Waldron

2 subgroups; conservative Judaism which
3 breaks into sort liberal conservatism and
4 conservadox, so-called; then there is
5 reformed Judaism, which is far more how
6 shall we say permissive than Orthodox
7 Judaism, and indeed I think some Orthodox
8 consider that it's not even Judaism at
9 all.

10 If you want to start a fight, go
11 to Israel and ask who is a Jew.

12 Q. So there are places of worship
13 for Jews though; correct? Temples.

14 A. There are synagogues, yes.
15 There are no longer temple since 71 AD.

16 Q. Synagogues?

17 A. Synagogues. Quite distinct.

18 Q. And does the Falun Gong have
19 places of worship?

20 A. Not that I know of.

21 Q. Does the Falun Gong have formal
22 places of worship?

23 A. My observation of Falun Gong is
24 that they gather somewhere, often in a
25 park, and they sit and meditate.

Page 60

1 A. Waldron

2 Q. Are there any Falun Gong
3 leaders?

4 A. No.

5 Q. Are there any -- is there
6 anything analogous in Falun Gong to a
7 priest or a rabbi?

8 A. No.

9 Q. Is that a factor that one should
10 consider in determining whether Falun Gong
11 is a religion?

12 A. No.

13 Q. Not given any weight at all, it
14 shouldn't be given any weight at all; is
15 that your testimony?

16 A. Well, I would ask you to
17 consider Quakerism, I would ask you to
18 consider the Lutheran doctrine of the
19 priesthood of all believers, I would ask
20 you to consider Unitarianism, I would ask
21 you to consider Baha'i. Those are only a
22 number of religions which have no formal
23 leadership.

24 Q. Is Branch Davidian a religion?

25 MR. WOSKOVITZ: Objection.

1 A. Waldron
2 about what's in that book. That's as
3 if you were asking me about
4 Christianity or Judaism but somehow
5 the Old and New Testaments never came
6 up.

7 Q. Again, Professor, you've set
8 forth your opinions in your report. My
9 job is to ask questions that I think --

10 A. I understand.

11 Q. My job is not to ask questions
12 that you happen to think would be helpful
13 for you. My job is to ask questions --

14 A. It's not helpful for me. I'm
15 just thinking I'm supposed to be an expert
16 witness. I have expertise.

17 When do I get to --

18 Q. You had that opportunity when
19 you wrote your report.

20 Do you understand that?

21 MR. WOSKOVITZ: Objection.

22 Q. Let me ask you this question:
23 Did you understand, when you wrote your
24 report, that under the federal rules, you
25 were required to lay out what your opinion

1 A. Waldron

2 visas at that time. I have probably made
3 something like forty visits to China
4 ranging from entire summers to shorter
5 visits. But I have basically been
6 everywhere in China except Tibet.

7 Q. And what years was that?

8 A. Well, it's right up to the
9 present but it's starting in 1971.

10 Q. And qigong, are those -- would
11 they be in the United States considered
12 religions?

13 A. I don't know. That would depend
14 on the law of the United States. I'm not
15 a lawyer.

16 Q. But are you offering an opinion
17 that Falun Gong is a religion?

18 A. I think it's a religion, yes,
19 absolutely.

20 Q. And why? Why do you think it's
21 a religion?

22 A. Because its chief concern is the
23 salvation of the individual and the
24 transition from the illusory world in
25 which we live, what the Buddhists would

EXHIBIT 28

EXPERT REPORT BY DR. XIA MING

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

	X	
	:	
ZHANG Jingrong, ZHOU Yanhua, ZHANG Peng,	:	
ZHANG Cuiping, WEI Min, LO Kitsuen, CAO	:	
Lijun, HU Yang, GUO Xiaofang, GAO Jinying,	:	
CUI Lina, XU Ting, BIAN Hexiang,	:	
	:	
Plaintiffs,	:	15 CV 1046 (SLT) (VMS)
	:	
v.	:	
	:	
Chinese Anti-Cult World Alliance (CACWA),	:	
Michael CHU, LI Huahong, WAN Hongjuan,	:	
ZHU Zirou, and DOES 1-5 Inclusive ,	:	
	:	
Defendants.	:	
	X	

EXPERT REPORT OF DR. MING XIA

I. Introduction and Summary of Expert Testimony to Be Offered

I have been retained by Defendants,¹ through their counsel, and been asked to provide my neutral, professional expertise regarding the topics that are the subject of this report.

Plaintiffs' Complaint in this case sets forth and relies on the use and meaning of a number of terms in the Chinese language. Indeed, in more than 20 paragraphs of Plaintiffs' Complaint, the Plaintiffs allege how certain terms in the Chinese language that Defendants allegedly used are relevant to the claims being asserted against the Defendants.² These Chinese-language terms include "xie jiao," "douzheng," and "PK." The Plaintiffs assert that these phrases have meanings that convey or promote violence.³ However, contrary to the Plaintiffs' allegations, these Chinese-language terms/phrases do not have meanings that convey or promote violence. In fact, Plaintiffs and the Falun Gong movement that they are a part of have used the very same terms (including the same Chinese characters) as part of a robust political and philosophical debate in which the Plaintiffs chose to engage, including on the public streets of Flushing, New York City. Because interpreting the terms at issue from Chinese to English is beyond the knowledge of the average juror, I understand that my opinions about the meanings of the Chinese-language terms at issue are a proper subject of expert testimony.

The Plaintiffs have also alleged that the context in which the Chinese-language terms are used is important.⁴ As set forth below, contrary to the Plaintiffs' assertions, the context in which the Chinese-language terms at issue have been used demonstrate that the terms at issue are not used to promote violence, but instead are terms that are used to express disagreement with political and philosophical ideas of public interest and concern.

In that regard, the Chinese-language phrases at issue are being used in the context of a movement known as the Falun Gong. The Falun Gong has become a social and political movement, including in the United States. As the Falun Gong has more aggressively promoted its political views, including in the streets of Flushing, New York City, this, combined with its controversial teachings, has caused a tension between the Falun Gong and certain segments of the Chinese-American community. This tension, while well-known among many Chinese-Americans, is not a cultural phenomenon that, in my experience, is known among the average non-Chinese American citizen. Thus, this social context in which the Chinese-language terms are being used is important and relevant background information that is also beyond the knowledge of the average juror. Put simply, the tension that exists between the Falun Gong and many in the Chinese-American community as a result of the politicization of the Falun Gong movement is a very real

¹ "Defendants" refers to Chinese Anti-Cult World Alliance, Michael Chu, Li Huahong and Zhu Zirou.

² Complaint ¶¶ 22, 37, 47, 48, 49, 51, 59, 60, 64, 66, 69, 76, 89, 92, 93, 116, 117, 118, 119, 122, 123, 139.

³ *Id.*

⁴ See, e.g., Complaint ¶ 125 ("The context of [defendant] CACWA's anti-Falun Gong campaign is important. Its insidious rhetoric and attempts at instigating violence against Falun Gong could only take hold in communities with a high percentage of China Communist Party loyalists . . .").

phenomenon that has been widely written about and studied, including in academic works, and which is extremely important in understanding the context of the disputes underlying this litigation.

Academics and others who have studied and written about the Falun Gong (including myself) have observed that it is a movement that has become increasingly political, in particular, politically opposed to the Chinese government. As David Ownby, a professor of history, observed, “the movement has become very politicized since 1999.”⁵ The increasingly political nature of the Falun Gong and its choice to inject itself on the streets of Flushing to promote highly provocative political speech in the public domain is an important background factor in understanding the Chinese-language terms alleged to have been used. The political nature of the Falun Gong and the political message conveyed by the Falun Gong on Main Street, Flushing is also important in placing the incidents at issue in context. This background information is important in understanding not only as to what was allegedly being said and taking place during the incidents at issue, but also is highly relevant to the claims and defenses in this case.⁶

The fact that the Falun Gong is not merely a practice of qigong, but includes provocative word views that are promoted by its founder, Li Hongzhi, has been the subject of academic works. These teachings include highly controversial views such as that aliens have visited earth and are planning to take over humanity; that there are separate heavens for separate races; that women’s liberation has had a negative impact on humanity; that society should not help the disabled or help cure those who suffer illness; and that when natural catastrophes such as earthquakes occur in a nation that kills innocent people, this is punishment for “karma” that exists in the region. These controversial teachings have taken on increasingly political overtones, as Li Hongzhi repeatedly has taught that natural catastrophes and epidemics in China are just desserts in retribution to the Chinese government he condemns.

Plaintiffs have suggested that these controversial teachings are taken out of context or do not reflect accurate translations of Li Hongzhi’s writings from Chinese to English. This is not true. The English translations of the controversial teachings of Li Hongzhi, including those in this report, match the meaning conveyed in the Chinese characters. Moreover, as discussed in

⁵ David Ownby, *Falun Gong and the Future of China* (Oxford University Press 2008), at viii.

⁶ For example, as evidenced by the fact that Plaintiffs have alleged the use of Chinese-language terms in over 20 paragraphs of their Complaint, whether these foreign-language terms in fact promote violence is plainly relevant to Plaintiffs’ claims. The social and political context in which these foreign-language terms are used are also important to understanding what occurred during the incidents at issue, and are relevant to defenses raised by the Defendants. For example, whether the Defendants’ use of certain terms or actions in fact promote violence, or are instead being used as part of a political and philosophical debate involving issues of public concern, is information that is relevant to issues such as whether Defendants’ actions are protected by the First Amendment, constitute “fighting words, or are otherwise protected activity. The political context of the public debate between the parties is also relevant to whether, as to the negligence claims, the parties acted reasonably in the circumstances, and whether, as to the emotional distress claims, the conduct at issue is, measured by an objective standard, actionable. There are many other ways in which the information in this report is relevant to the claims and defenses, but I understand that those issues are for the Court to assess in a future procedural setting, and I reserve the right to provide additional information in response to any *Daubert* motion.

academic literature, Li Hongzhi's unconventional teachings are not incidental to his work, but are pervasive and central components of his political and philosophical view. This information is highly relevant in assessing whether reasonable people might consider the Falun Gong a cult, or conclude that it shares attributes of sects that are sometimes referred to in political and philosophical debate as cults.

Li Hongzhi has repeatedly taught that the Falun Gong movement is not a religion. There is much academic debate about whether the Falun Gong movement is properly characterized as a religion. This information – not commonly known to the average juror -- is relevant to the question of whether the Falun Gong is a religion for purposes of Plaintiffs' claims. This information is also relevant to whether the incidents at issue in this action involve, as the Plaintiffs allege, religious persecution, or instead involve robust debate about what are essentially political and philosophical disagreements of public concern.

One factor contributing to the tension between the Falun Gong and non-Falun Gong members of the Chinese-American community is the Falun Gong's belief that Chinese-Americans (particularly those from China) have been brainwashed by the Chinese government and thus have lower moral standards than people who are not Chinese. The notion that because people are from China or have Chinese heritage, they are presumed to be of lower moral integrity, is no different than stereotypes about other minorities based on sweeping generalizations. This is the definition of prejudice and racism: not looking at the individual or her specific actions, but instead making presumptions about the moral integrity and political loyalty of the person based on national origin or race.

The message from Li Hongzhi and some members of the Falun Gong or those that sympathize with them – including some of the plaintiffs here -- is essentially that unless a Chinese person becomes enlightened and adopts Falun Gong's particular political and world views, this Chinese person will remain in the inferior moral state she is in by virtue of being Chinese. Not surprisingly, many Chinese-Americans are deeply offended by this form of stereotyping by Li Hongzhi and some of his followers. The presence of Falun Gong members on the public streets, seeking to convert supposedly brainwashed and morally inferior Chinese-Americans to the light of the Falun Gong, has created a tension between Falun Gong activists and segments of the Chinese-American community who feel stereotyped by this polemic.

As set forth in more detail below, the proper translations of the Chinese terms that the Plaintiffs point to, and the socio-political context in which they are used, are highly relevant to the claims and defenses in this case. My expert opinions and information on these topics are set forth herein.

II. Qualifications of Witness

I am a tenured full professor of political science at the Department of Political Science and Global Affairs, the College of Staten Island, the City University of New York, and a doctoral faculty member at the CUNY Graduate Center. I am also an adjunct professor at New York University. I am currently teaching courses on the politics of East and Southeast Asia. I have also taught college courses in areas such as political sociology, including how language, religion and

culture interacts with political power. I am also teaching classes in Chinese politics and foreign relations.

I was born in Chengdu, a city in the Sichuan Province of China. I became a United States citizen in 2007. I presently reside in Staten Island, New York.

I received my education from both Chinese and American higher education institutions. In 1981, I entered the Department of International Politics, Fudan University in Shanghai, from which I received both a bachelor's and a master's degree (1985 and 1988 respectively). After having worked the same institution as an assistant professor, I came to the U.S. for my doctoral degree in 1991. In 1997 I successfully completed my study and received my Ph.D. in political science from Temple University in Philadelphia, with the distinction of the best dissertation award recipient. Upon my graduation, I started my teaching position at the City University of New York.

I have published numerous books (four single-authored books), dozens of research papers, hundreds of essays, and provided close to two thousand interviews concerning China and Chinese-American politics, culture, religion and society.

My academic research and publications have included works regarding the Falun Gong. In that regard, I co-edited two special issues for the journal *The Chinese Law and Government* titled "The Battle between the Chinese Government and the Falun Gong" (Sept.-Oct. 1999) and "The Falun Gong: Qigong, Code of Ethics, and Religion" (Nov.-Dec. 1999) from M.E. Sharpe, Inc. Included in those works were introductory articles regarding the Falun Gong that I co-authored. The publications that I co-edited include leading articles regarding the Falun Gong from multiple perspectives, including the Falun Gong, the Chinese government, academic community and the media. The works that I co-edited regarding the Falun Gong have been cited by other academics and researchers regarding the Falun Gong, for example, *Falun Gong and the Future of China* by David Ownby (2008, Oxford, pp. 281) and *Revenge of the Forbidden City: The Suppression of the Falungong in China, 1999-2005* by James Tong (2009, Oxford, p. 266).

My continued work and research on the Falun Gong is also reflected in my co-authored article, "Mounting Challenges to Governance in China: Surveying Collective Protestors, Religious Sects and Criminal Organizations" (Jae Ho Chung, Hongyi Lai and Ming Xia, *The China Journal*, No. 56, Jul., 2006, pp. 1-31), and another article, "Organizational Formations of Organized Crime in China: perspectives from the state, markets, and networks" (*Journal of Contemporary*, Volume 17, 2008, Issue 54, pp. 1-23).

For at least the past ten years I have worked with almost all media affiliated with the Falun Gong: the New Tang Dynasty TV (NTDTV), the Sound of Hope (Radio), The Epoch Times (both Chinese and English), and The Epoch Weekly. I have regularly appeared on their live TV programs, contributed long special report, and have been covered by these media for special reports about me and my works.

I have longstanding and ongoing personal knowledge of the Falun Gong, many of its followers and major activists, and their activities in the United States, including in Flushing, Queens. I have personally interacted with numerous Falun Gong practitioners, including with

respect to assisting a Falun Gong practitioner in seeking asylum in the United States. I have been interviewed by the Epoch Times numerous times and have over the years provided commentary regarding a variety of topics relating to the Falun Gong.

I am the author of *The Dual Developmental State: Development Strategy and Institutional Arrangements for China's Transition* (Ashgate 2000) and *The People's Congresses and Governance in China: Toward a Network Mode of Governance* (Routledge 2008 and 2011). I have published dozens of articles and book chapters on Chinese politics, transition, democracy movement, and local governance in China. I am also a co-producer of Oscar-nominated HBO documentary, "China's Unnatural Disaster, The Tears of Sichuan Province" (2009). With Dr. CHEN Kuide, I co-edited the Chinese book, *The Crown of Thorn: Liu Xiaobo and the Nobel Peace Prize* (Hong Kong: Morning Bell Publisher, November 2010). In 2012, I had my book (written in Chinese), *Political Venus: From Nothing Under My Name to Chinese Democracy* published by Morning Bell Publisher in Hong Kong. In 2015, I published my book, *Empire of the Red Sun: The Last Orgy of the CPC* (in Chinese, New York: Mirror Books). In addition, in the same year the movie, *Dream against the World: Mu Xin* in which I served as a history advisor and translator was released in theatres; my edited book, *The Looting and Overdrawing World* (Hong Kong: iSun Publisher, 2016) was published.

From 2009 to 2015, I had been chosen consecutively as one of the Top 100 Chinese Public Intellectuals (by the Boxun.com based in New York and Zhengzuo Jingyou Institute based in mainland China).

I am one of the first 50 overseas scholars who signed on *The Charter 2008* led by Nobel Prize winner Liu Xiaobo. I am one of the founding members of the National Committee of the DPC (Democratic Party of China) and I have served as a member of the Supervision Committee for the DPC National Committee and a member of its working committee since 2010.

I have been a residential fellow at the Sigur Center for Asian Studies at the George Washington University (2003), the Woodrow Wilson International Center for Scholars (2004), the East Asian Institute at the National University of Singapore (2004), and senior research fellow at the East Asian Institute (2011) and the Asian Research Institute (2012) at the National University of Singapore.

For the past nineteen years, I have been consulted by U.S. government agencies (including the National Security staff, Radio Free Asia, Voice of America), NGOs (e.g., Human Rights Watch and Human Rights in China), foreign governments (including Singapore, India, Canada, and Columbia) and private industries (e.g., the Barron's for Nasdaq) on a variety of issues concerning China, its internal policies and human rights violations, Chinese leaders and organized crime.

I am a co-producer of *China's Unnatural Disaster: the Tears of Sichuan Province* (2010 Oscar Nominee). In addition, I have engaged in other activities for promoting human rights and democratization in China. As a result of these activities, I have been prevented by the Chinese government from entering China since 2008.

Although I was born in China, I have spent an equal amount of my life time in both China and the U.S. I am bilingual; specifically, I can speak and write in both Chinese and English, and have interpreted and translated academic works from Chinese to English and vice versa for over 30 years as part of my work as a bilingual author and a professor. I have also written academic works in English and Chinese for over 30 years. Several of my translation works have been published both in China and the United States. For example, I translated Yale professor James Scott's "Introduction to a General Theory on Corruption" into Chinese in 1990. My recent translation works include Hua Ze's "The Ordeal of Fragrant Soul" in 2011, movies "China's Unnatural Disaster" (2009) and "Mu Xin: Dream against the World." My review essay "Dying in Dignity Is the Last Human Right" was published in *China Rights Forum*, 2012 with both English and Chinese versions.

I am being compensated for my work in this case at the rate of \$200 per hour. I have been asked to provide my neutral translations and professional expertise regarding the topics that are the subject of this report.

Attached hereto as Exhibit A are my publications within the past 10 years. Attached hereto as Exhibit B are the materials I considered in writing this report.

III. The Falun Gong: Its Practices and Controversial Beliefs

The Falun Gong is a practice that originated in China in 1992, which includes meditation and qigong exercises, along with controversial teachings discussed below. Li Hongzhi, the founder of the Falun Gong, was born in China and emigrated to the United States in 1998. Li Hongzhi is the sole authoritative source of the Falun Gong's teachings.

The Falun Gong has become a social and political movement, including in the United States. As the Falun Gong has more aggressively promoted its political views, including in the streets of Flushing, New York, this, combined with its controversial teachings, has caused a tension between the Falun Gong and certain members of the Chinese-American community. This tension, while well-known among many Chinese-Americans, is not a cultural phenomenon that, in my experience, is known among the average non-Chinese American citizen.

The tension that exists between the Falun Gong and many in the Chinese-American community is a very real cultural phenomenon that has been written about, including in academic works, and which is extremely important in understanding the context of the disputes underlying this litigation. To understand this information, an understanding of the Falun Gong's beliefs, teachings and increasingly aggressive promotion of its political message is important. Yet, as a professor in New York City who interacts with numerous college students, teachers and others of many backgrounds, it is my experience and opinion that this information is not commonly known to the average lay person, especially those who are not Chinese-American.

The fact that the Falun Gong is not merely a practice of qigong, but includes provocative word views that are promoted by its founder, Li Hongzhi, has been the subject of academic works. These teachings include controversial views such as that aliens have visited earth and are planning to take over humanity; that there are separate heavens for separate races; that women's liberation

has had a negative impact on humanity; and that when natural catastrophes such as earthquakes occur in a nation that kills innocent people, this is punishment for “karma” that exists in the region.

The controversial teachings of Li Hongzhi are a proper subject of expert testimony, and highly relevant to this litigation, for many reasons. First, I understand that the Plaintiffs have suggested, including in depositions and as part of the stipulation governing the authenticity of Li Hongzhi’s writings, that Li Hongzhi’s controversial teachings are taken out of context, that the English language translations differ significantly from the Chinese-language versions, and/or that the controversial teachings are not a central part of the Falun Gong movement. However, contrary to Plaintiffs’ assertions, Li Hongzhi has over many years repeatedly made, in different settings and before many audiences, the very same controversial teachings. In addition, the English versions of Li Hongzhi’s controversial teachings listed in this report and its exhibits in fact match the meanings of the Chinese versions that have been published and that have appeared on the Falun Dafa website. In addition, academic works regarding the Falun Gong have acknowledged that the controversial teachings discussed herein are indeed a significant aspect of Li Hongzhi’s teachings – not simply a few statements taken out of context. *E.g.*, David Ownby, *Falun Gong and the Future of China* (Oxford University Press 2008).⁷ These matters are not commonly known to the average juror, including of course because they involve reading, understanding and interpreting passages in Chinese to confirm that the English translations do indeed match the Chinese.

Li Hongzhi’s promotion of such controversial views is highly relevant to understanding the tension that exists between the Falun Gong and certain segments of the Chinese-American population, including on Main Street, Flushing. Because the Falun Gong actively runs tables on public streets of Flushing to promote its controversial views, the fact that these views include many which average Chinese-Americans find offensive helps to understand the dynamic between the groups and the causes of tension and friction in the community. This important information not only places the incidents at issue in context, but are directly relevant to the elements of Plaintiffs’ claims (as well as the Defendants’ counterclaims) and the defenses to those claims.

Li Hongzhi’s controversial teachings are also relevant to the allegation made by Plaintiffs in their Complaint that when the Defendants’ use the word cult, or xiejiao in Chinese, this terminology connotes a meaning of promoting violence toward the Falun Gong. In fact, as reflected by academic work regarding the Falun Gong, the controversial teachings of Li Hongzhi discussed herein are factors that have resulted in a robust debate among academics and those who study the Falun Gong as to whether the Falun Gong movement may appropriately be referred to as a cult. The fact that a robust intellectual debate among academics exists regarding whether the Falun Gong may appropriately be called a cult is highly relevant to the Plaintiffs’ claims, including whether use of the word cult can simply reflect reasonable disagreement with Li Hongzhi’s controversial teachings.

⁷ Even academics who are sympathetic toward the Falun Gong cannot ignore the numerous and repeated strange teachings of Li Hongzhi. Professor David Ownby, for example has written that “as a scholar I am more interested in the fact that large numbers of otherwise intelligent people either accept or overlook what appear to be Li’s nonsensical statements.” David Ownby, *Falun Gong and the Future of China*, 90.

All of these matters, including the proper translation and meaning of Chinese-language words at issue, such as “xie jiao,” are ones that are not commonly known to the average layperson or juror.

Attached hereto as Exhibit C are examples of Li Hongzhi’s writings in which he promotes views that are controversial and that many people believe lack any foundation or support in science or otherwise.⁸ These controversial views include the following topics.

1. Alien Visitation and Plans to Take Over Humanity

Li Hongzhi has repeatedly taught that the Earth is under attack from extraterrestrial aliens who are getting ready to clone and take over the human race.⁹ According to Li Hongzhi, modern technology, including computers and cell phones, is the product of alien mind control, and it is only a matter of time before the aliens possess us all because they envy humans. *See* “Interview with Li Hongzhi” Time Magazine, May 10, 1999.¹⁰

Li Hongzhi’s teachings about aliens are not some off-hand comments taken out of context or misinterpreted. As set forth in Exhibit C hereto, he has made these controversial teachings numerous times and in many of his works.¹¹ These teachings are so recurrent and strange that even academics who sympathize with the Falun Gong acknowledge that they cannot be ignored. For example, Professor Maria Hsia Chang has aptly noted that Li Hongzhi’s teachings about aliens sound “like an episode of The X-Files.”¹² Professor David Ownby, pointing to the 1999 interview

⁸ These writings, in English and Chinese, appear on the Falun Dafa website and I understand have also been produced in this action.

⁹ Li Hongzhi’s teachings about aliens has spanned over many years. Li Hongzhi claimed as far back as 1996 that aliens have “in fact visited our earth and their visits have been captured in photos, yet people still don’t believe in their existence.” Teaching the Fa in San Francisco, April 6, 1996 [C-1-00750]. In Li Hongzhi’s *Zhuan Falun*, the book that he instructs his followers to read over and over again, he clarifies how aliens visit Earth. He explains that the “flying saucers of extraterrestrials can travel back and forth at an inconceivable speed and become large or small. They have taken another alternative method of development, which is another scientific approach.” *Zhuan Falun* [C-1-00576] (references with “C” are to Bates numbers in the document productions in this action).

¹⁰ In 2016 at the Barclays center in Brooklyn, Li Hongzhi elaborated on how cell phone technology is brought to humans from aliens and it is meant to destroy us. Li Hongzhi explained that “this is aliens’ technology, and demons are utilizing it to get you hooked, get you to abandon everything you have, and have you devote yourself to it. It’s wasting your life, yet you are loath to put it down! Even from the perspective of being human you are not right, let alone in cultivation.” Fa Teaching at the 2016 New York Fa Conference, May 15, 2016 [C-1-03447].

¹¹ Over the course of over a decade, Li Hongzhi’s seminars and writings advocate that aliens are responsible for technology and even large buildings. Li Hongzhi explained in a teaching seminar in New York in 2004 that “If you say that the skyscrapers in Manhattan are the same as those in the heavens, that’s not true, because they were brought about by modern science, and modern science was brought about by aliens.” Teaching the Fa at the 2004 International Fa Conference in New York, November 21, 2004 [C-1-02525].

¹² Maria Hsia Chang, *Falun Gong: The End of Days* (Yale University Press 2004), 71.

in Time Magazine in which Li Hongzhi went into detail about aliens, agrees that “it is too easy to make fun of Li Hongzhi.”¹³

2. Separate Heavens for Separate Races

One of Li Hongzhi’s most controversial teachings is that there are separate heavens for separate races.¹⁴ Li Hongzhi similarly condemns what he calls the “mixing up” of races, even going so far as to claim that the child of mixed races has no heaven to go to. These teachings were very clearly set forth by Li Hongzhi in his own words as follows:

The races in the world are not allowed to be mixed up. Now, the races are mixed up and it has brought about an extraordinarily serious problem. Once races are mixed up, one does not have a corresponding relationship with the higher levels, and he has lost the root. Mixed races have lost their roots, as if nobody in the paradise will take care of them. They belong to nowhere, and no places would accept them. . . . [I]f you are an interracial child, it is, of course, neither your fault nor your parents’ fault. Anyway, it is just such a chaotic situation brought about by mankind, in which such a phenomenon has appeared. The yellow people, the white people, and the black people have the corresponding races in heaven.” Lecture in Sydney, Li Hongzhi, 1996, Page 42 [C-1-00714].

Li Hongzhi’s racist teachings are not taken out of context but are quite clear. For example, Li Hongzhi has taught that black people have been forgotten by the gods that created them. Specifically, a Falun Gong practitioner asked: “Question: Different races have different Heavenly Kingdoms. Why don’t black people from Africa have any?” Li Hongzhi’s answer: “Master: Black people, too, have the gods that created them. *It’s just that they forgot them rather early.*” *Teaching the Fa Conference in Houston*, Li Hongzhi, October 12, 1996, Page 26, C-1-02120 (emphasis added).

3. Li’s Proclaimed Supernatural Abilities

Over the years, Li Hongzhi has repeatedly claimed to have a host of supernatural abilities. As set forth in Exhibit C hereto, the supernormal powers Li Hongzhi claims to have are many, and include the ability to fly, walk through walls, travel through space and other dimensions, and cure

¹³ David Ownby, *Falun Gong and the Future of China*, 89

¹⁴ When asked at their depositions, the Plaintiffs testified that they believe that there are separate heavens for separate races. See, e.g., Cui Dep. 138-139 (A. “[...]my understanding, right, this is my personal understanding there are different worlds, different heavens for different race. Q. Okay. And so if a black person dies and goes to heaven, you think that that person goes to a different heaven than if a white Caucasian person dies and goes to heaven? Is that what you believe? A. This is my personal understanding. Different race have their own kingdom, have their own heaven.”); Wei Dep. 233:2-11, Jun. 3, 2016 (“Q. Do you know that Li Hongzhi has written that there are different heavens for the different races? A. I don’t know what the exact writing is. But something similar was said, based on my understanding. Q. So, you believe that there are different heavens for different races; correct? A. Yes.”).

sickness.¹⁵ Li Hongzhi has also claimed to be all knowing and omniscient.

A central teaching of Li Hongzhi is that he installs a rotating wheel into the stomachs of all Falun Gong practitioners. Li Hongzhi claims that this wheel takes energy in from the universe when it turns clock-wise, and releases energy when it turns anti-clockwise. Li teaches that this cosmic energy is therapeutic to the practitioner.¹⁶

Li Hongzhi teaches that anyone who practices Falun Gong can develop supernormal abilities. In his words, he states: “Think about it, everyone: One can develop supernormal abilities through cultivation practice.” Zhuan Falun [C-1-00442].

Li Hongzhi’s teachings about his supposed supernormal powers are not off-handed remarks, but appear over and over in his writings. As Professor David Ownby observed, Li Hongzhi’s alleged “supernormal powers remain central to Li Hongzhi’s teachings and to Falun Gong practice, both in the form of powers possessed by the master and powers acquired by practitioners. These are the payoff, the reward.”¹⁷ Thus, Li Hongzhi’s claims to have supernormal powers are at the core of his teachings:

Supernormal powers are thus at the very core of Falun Dafa discourse, achieved when practitioners, through moral practice and with the constant magical guidance of the master, break through the limitations of science and the human dimension to become immortals and superhumans.¹⁸

¹⁵ Li Hongzhi instructs that “A person can levitate in broad daylight. In fact, let me tell you that a person can levitate once the great heavenly circuit is opened-it is just that simple.” *Zhuan Falun* [C-1-00589]. He also instructs his followers that he can cure their illnesses. He explains that he “unconditionally help[s] people get rid of their diseases and health problems, and [...] enable[s] them to reach higher realms of mind” *Essentials for Further Advancement II*, Li Hongzhi [C-1-01847] Li Hongzhi explains in his books that he can “unconditionally help people get rid of their diseases and health problems, and [...] enable them to reach higher realms of mind.” *Essentials for Further Advancement II* [C-1-01847].

¹⁶ In *Zhuan Falun*, which Li Hongzhi instructs his followers to read as many times as they can, he describes the installation process of the wheel in the abdomen of his followers. He explains that “the practice cultivates a Falun in the lower abdomen. I personally install it for practitioners in the class. While I am teaching Falun Dafa, we install it for everyone in succession. Some people can feel it while others cannot; the majority of people can feel it. This is because people have different physical conditions. We cultivate Falun instead of dan. Falun is a miniature of the universe that possesses all of the universe’s capabilities, and it can operate and rotate automatically. It will forever rotate in your lower abdominal area. Once it is installed in your body, year-in and year-out it will not stop and will forever rotate like this.” *Zhuan Falun* [C-1-00451].

¹⁷ David Ownby, *Falun Gong and the Future of China*, 115.

¹⁸ David Ownby, *Falun Gong and the Future of China*, 121.

4. Li's Controversial Version of Karma

Li Hongzhi teaches a highly controversial version of karma. According to Li Hongzhi, karma is a black substance that builds up in a person as a result of bad acts.¹⁹ Not only does karma accumulate from past lives, but it is also inherited from ancestors.²⁰ Li Hongzhi teaches that karma is the cause of illness and disease, and even the cause of natural disasters.²¹

A central teaching of Li Hongzhi is that engaging in cultivation – the meditation and exercises proscribed by the Master – will reduce or eliminate the karma that has accumulated in one's body:

Karma is . . . a physical material for Li Hongzhi, one which can be removed from bodies, or exchanged, or transformed. . . . Li identifies karma as a black substance which must be purged in the process of cultivation. As Li says, "The human body is like the annual rings of a tree, whereby each ring contains sickness-karma. So your body must be cleaned up from the very center."²²

Li Hongzhi's version of karma contains a number of highly controversial aspects, which have been discussed in academic literature about the Falun Gong. First, as Professor Ownby observed, Li Hongzhi's version of karma is a purely negative one, as opposed to a more classic notion of karma being a process of reward and punishment:

Li Hongzhi's use of the term karma differs somewhat from the more classical definition For Li, karma is not the process of reward and punishment, but

¹⁹ In response to the question 'why do people get sick?' Li Hongzhi explains in his book *Zhuan Falun*, what the fundamental cause is. "The fundamental cause of one's being ill and all of one's misfortune is karma and the black substance's karmic field. It is something negative and bad. Those evil beings are also something negative, and they are all black. Thus, they can come because this environment suits them. This is the fundamental cause of one's being ill; it is the most principal source of illnesses." *Zhuan Falun* [C-1-00570].

²⁰ Li Hongzhi has explained that karma exists because "a person did wrong in the past that he suffers these hardships. If you have cured his illness, that is the same as violating the principle of the universe, for one can then do wrong deeds and owe someone something without having to pay for it. This is not allowed." *Zhuan Falun* [C-1-00466]. Li Hongzhi has emphasized this point in other writings: "[W]hen humans go through hardship and suffer it is so that they may pay off karma and thereby have happiness in the future." *The Essentials of Diligent Progress Vol. III*, October 8, 2008 [C-1-02798].

²¹ Li Hongzhi explained in a Fa teaching conference that "Human society experiences bad situations, including wars, earthquakes, floods, epidemics, plagues etc., and there are many, many other natural disasters." He explains further that "in fact, all of these have a purpose. They eliminate karma for mankind." Teaching the Fa at the Eastern U.S. Fa Conference, New York, March 1999 [C-1-01607].

²² David Ownby, *Falun Gong and the Future of China*, 110.

rather the fruits of bad moral behavior; in other words, karma is an exclusively negative term in Falun Dafa doctrine.²³

A second controversial aspect of his teaching is his view that since karma causes illness, when one becomes ill, this is a way for a person to pay off or reduce the karma that has accumulated.²⁴ Consequently, Li Hongzhi has cautioned against intervening to cure other people's illnesses, and has even taught that human suffering is a good thing:

The nature and etiology of disease prompted Li to counsel his followers who have achieved the supernormal ability to cure sicknesses to refrain from so doing. In attempting to cure someone's illness, Li warned, not only might the healer take on the patient's black energy (qi), the healer is also denying the patient the opportunity, via suffering, to clear his karma. The result is that although the patient may appear to be cured, she will still have to repay her karma by enduring other forms of hardship and suffering. As Li observed, "It is because of the karma resulted from committing wrong deeds in the past that one will have illnesses or tribulations, and suffering is repaying the debt of karma. Thus, nobody can change it. Changing it will mean that one does not have to repay the debt When you are suffering from an illness, your karma is truly being removed. You will recover once such removal is over People think that it is bad to suffer even a little bit. Actually, what is so terrible about suffering?"²⁵

A third controversial aspect of Li Hongzhi's teachings about karma is his view that modern medicine cannot cure illness and disease.²⁶ Li Hongzhi maintains that "everyday people have no way of knowing the actual truth about the cause of the sickness." Due to this ignorance, Li Hongzhi maintains that "the person will take medicine or seek various kinds of treatments, which in effect press the sickness back into the body again." *Essentials for Further Advancement* (2001), at 31.²⁷

²³ David Ownby, *Falun Gong and the Future of China*, 110.

²⁴ Li Hongzhi explains that illness is actually just Karma in his conferences. He explained to an audience member that "If you're saying that you have an illness, I never acknowledge the concept of "illness" since it's caused by karma." *Teaching the Fa at the Conference in Europe, Frankfurt, Germany, 1998* [C-1-00863].

²⁵ Maria Hsia Chang, *Falun Gong: The End of Days*, 76.

²⁶ As far back as a conference in 1996 Li Hongzhi explained that doctors can never actually help those who are sick. He explained that "When doctors treat health problems, they only take care of things at the surface of the body. Humans will eliminate some karma because of the suffering of falling ill, but the majority of the karma and the root cause of what in essence causes the health problem are in other dimensions. Doctors can't treat [those things] and the root cause of falling ill is still there, so in each of their many lives, people will have some karma left over." *Teaching the Fa Conference in Houston, 1996* [C-1-02121].

²⁷ I am aware that Li Hongzhi has at times not strictly forbidden the taking of medicine. However, even those who are sympathetic with the Falun Gong acknowledge that Li Hongzhi strongly discourages practitioners from seeking medical treatment. E.g., Danny Schechter, *Falun Gong's Challenge to China* (Akashic Books 2000), 50 ("Li's writing strongly discourages practitioners from seeking medical treatment, stating that once a practitioner has reached a certain level of cultivation, he or she will not get sick.").

Those who have studied the Falun Gong movement have observed that Li Hongzhi's teachings regarding illness and his skepticism of modern medicine have caused at least some Falun Gong practitioners to avoid medical treatment, or to at least be reluctant to seek medical care.²⁸ A determination as to exactly how many practitioners have been influenced by Li Hongzhi's teachings to avoid medical care is not the relevant inquiry here. Rather, what is important is that, as reflected in the academic works regarding the Falun Gong, reasonable people who are aware of the Falun Gong's teachings can and do robustly disagree as to whether Li Hongzhi's teachings regarding karma and medical care are misleading or dangerous, and whether this poses risks that can be seen as cult-like.

A fourth controversial aspect of Li Hongzhi's teachings about karma is his belief that natural disasters, such as earthquakes, occur in region because of karma.²⁹ For example, Li Hongzhi has written that "A region with a lot of karma or a region where the human heart has become corrupt is bound to be unstable," and that "ignorant people take various catastrophes as natural phenomenon." *Essentials for Further Advancement* (2001), supra note 1, at 52, 116.

Li Hongzhi's teachings that karma causes natural disasters and epidemics have taken on increasingly political overtones, as many of his works teach that catastrophes and epidemics that have taken place in China and elsewhere are payback for bad acts of individuals making policy decisions with which he disagrees.³⁰ For example, Li Hongzhi taught that a devastating earthquake that hit China was punishment for policies of the Chinese government. Similarly, Li Hongzhi attributed the SARS epidemic to bad acts of Chinese officials. A particularly unusual claim along these lines was that the economic crash in Greece was due to the fact that the Falun Gong dance company, Shen Yun, was not permitted to perform in Greece.³¹

²⁸ David Ownby, *Falun Gong and the Future of China*, 110-112, 144; Noah Porter, *Falun Gong in the United States: An Ethnographic Study* (Dissertation.Com 2003), 250 ("I cannot argue that most practitioners I have talked to show some reluctance to rely on medical care.").

²⁹ In his poetry, Li Hongzhi refers to natural disasters and why they happen. A 2005 poem includes these stanzas: "Hurricanes, tsunamis, and earthquakes/ Are paybacks for beings' lacking virtue" "Everyone hastens the moral decline/ Disaster of every sort could strike any time" *Hong Yin, Poems*, Li Hongzhi, October 9, 2005 [C-1-02693]. Li Hongzhi also explains at conferences the nature of karma and its relation to natural disasters. He explains that human society experiences many bad situations, "including wars, earthquakes, floods, epidemics, plagues etc., and there are many, many other natural disasters. In fact, all of these have a purpose. They eliminate karma for mankind." *Teaching the Fa at the Eastern U.S. Fa Conference, New York, 1999* [C-1-01607].

³⁰ In his written works Li Hongzhi has written furiously about China and what is to befall them. He explains that "what awaits the evil beings is nothing but eternally paying in Hell for all they have done to interfere with and persecute the Fa-rectification and Dafa disciples." *The Essentials of Diligent Progress Vol. III*, 2002 [C-1-02761] Li Hongzhi makes promises to his followers about how "The wicked CCP is indeed villainous, and in the near future it will surely be eliminated." *Fa Teaching Given at the 2014 San Francisco Fa Conference* [C-1-03458].

³¹ Li Hongzhi's explanation for the SARS epidemic was as follows: "SARS in China, well, back in the past the old forces decided to [use it] to eliminate eight million people in China. Instead of being repentant they're still hiding the facts there." *Teaching the Fa at the Conference in Vancouver, Canada, in 2003* [C-1-02230].

5. Li Hongzhi's Opposition to Women's Liberation

Li Hongzhi has repeatedly spoken out against and is opposed to women's liberation. His opinions on the matter are explicit. He explains, "let me tell you that this type of advocacy for women's liberation is also something that only occurs after the degeneration of humankind." Teaching the Fa at a New York Meeting, March 22, 1997 [C-1-00757].

Li Hongzhi has continuously reiterated his opposition to women's liberation in conferences around the world. He has stated that, "Nowadays some people advocate women's liberation, which is a sensitive issue. Some people say that 'We women suffer too much; women should be liberated; men and women should be equal; we women should be stronger...' But...think about it, everyone: Once women's liberation is advocated, women feel they're oppressed and that they should stand up. But then what happens? Divorce, fighting, abandoned children, and other social problems emerge. The fundamental cause isn't whether women are liberated, but the degeneration of human society's morality – isn't this the cause?" Li Hongzhi, *Falun Buddha Fa: Lectures in the United States*, 38.

6. Li Hongzhi Condemns Homosexuals, Who He Teaches Will Be Destroyed

Li Hongzhi not only condemns homosexuality, but actually teaches that homosexuals will be targeted for destruction. He has stated that "gods' first target of annihilation would be homosexuals." Li Hongzhi, *Teaching the Fa at the Conference in Switzerland, September 4-5, Geneva*. He has stated at another conference in Europe that "People now want to find a partner of the same sex. Gods think that people do that because they no longer have human values. You are wantonly indulging your thoughts... The mentality that makes you homosexual was driven by postnatally-formed bad things." *Teaching the Fa at the Conference in Europe*, Li Hongzhi, May 30 & 31, 1998, in Frankfurt, Germany, Page 26. [C-1-00865] This message conflicts with the Falun Gong's public relations campaign that the movement is about compassion and benevolence. Li Hongzhi has repeatedly stated that homosexual are headed towards destruction.

Li Hongzhi's condemnation of homosexuals and homosexuals being the appropriate target of destruction is repeatedly cemented by his teaching that AIDS targets homosexuals as a just outcome. He has claimed that AIDS targets homosexuals because of karma they retain merely by being homosexual. He stated: "AIDS targets promiscuity and homosexual behavior-and they are karma of even higher density. Generally speaking, in places with more karma people will get sick. Epidemics will break out in whatever region has high-density karma, and that place is afflicted because of the large amount of karma created by human beings." *Teaching the Fa at the Founding Ceremony of the Singaporean Falun Dafa Association*, Li Hongzhi, July 28, 1996, Page 11.] [C-1-02159]

7. Li Hongzhi Has Warned Against Helping The Disabled

One aspect of Li Hongzhi's teaching of karma, is another highly controversial teaching: that the disabled should not be helped. He has repeated this unsympathetic view over the course of years in different settings. In fact, Li Hongzhi explains to his followers that the reason why they

should never help those who are disabled is because they are disabled for a reason. Li Hongzhi teaches his followers that the reason why people are disabled in the first place is because of bad karma they are paying off from another life, and that by aiding those who are disabled one takes away from their ability to pay off their karmic debt.³² Li Hongzhi was asked by his followers about how they should take care of the disabled in society. He answered by dismissing the question as unimportant and that if the disabled have it too easy that they can't repay their karma which is the cause of their being disabled in the first place.³³

In response to another question about those with mental disorders, Li Hongzhi responded "Your second question is about mental disorder. Whether it is minor or severe, we have all made it clear that: he is advised not to engage in our practice... A mentally retarded person does not have a clear consciousness himself, and we cannot save him... We do not teach those with mental illness at all, and this is for sure. Because he is an ordinary person, he will become ill and run into problems." Lecture in Sydney, Li Hongzhi, 1996, Page 36-37. [C-1-00712 – C-1-00713].

8. Li Hongzhi's Teachings Are Absolute Directives That Can Never Be Questioned

Li Hongzhi teaches his followers that you cannot change what he has written and you must follow his teachings without question: "[Y]ou must be clear that the form of cultivation practice that I leave you can never be altered. Don't do anything that I do not, and don't use anything that I do not." Li Hongzhi, *Essentials for Further Advancement* (2001), at 73 [C-1-00144]. When asked, the Plaintiffs in this case have testified that they accept *everything* Li Hongzhi has taught – no matter how controversial or unusual.³⁴ Li Hongzhi's teaching, and the absolutist views of his followers in obediently following all his directives, is highly relevant background information regarding the events and incidents at issue in this litigation.

³² "Question: How should we take care of the disabled? Teacher: Why are you asking me about things of ordinary people? Would you also ask me how to take care of your parents, or how to look after your kids? These are all things of ordinary people. I'm teaching the Fa and things of cultivating to high levels. That said, if disabled people have it too easy, then they can't repay karma. In the next life they might be disabled again." *Zhuan Falun Fajie: The Law of Zhuan Falun Explained*, Teaching the Fa and Answering Questions in Zhengzhou.

³³ "Question: Is it okay to teach patients with a slight mental illness? Teacher: I think you had better not invite this trouble, because he can't control himself and can't understand it. When his mind is controlled by external messages, any demon can interfere with him, and at that point you won't be able to deal with it. When he is in that state any demon can take control of him, so not only will he not play a positive role, he will damage Falun Dafa's reputation. That's why we have never been willing to teach mental patients. He has no control at all, and when the time comes, all kinds of demons interfere with him and everything is undermined; the practice was done in vain." *Teaching the Fa and Answering Questions at Yanji, July 16, 1997* [C-1-01033].

³⁴ See, e.g., Jinying Gao Dep. at 17 ("Q. Have you read anything he has written that you don't agree with or that you are skeptical of? . . . A. No. Q. So every word he has written you agree with? . . . Q. So every word he has written you agree with. Is that the case? Yes, I agree with them all.").

9. Only The Falun Gong Will Survive the End of Days

Li Hongzhi's teachings are clearly apocalyptic. He teaches that the end of days is imminent, and that the only way to survive is to practice Falun Gong. For example, he explained to his followers: "[T]he old forces are to be weeded out during Fa-rectification, the vile party and the evil specters will likewise be weeded out for sure, and all who have a hand in what they do will be weeded out. This is a law laid down in Fa-rectification, and it has to be done this way. If we don't go and save someone like that, he or she will be weeded out by history along with the evil." *Teaching the Fa in Canada, 2006*, Li Hongzhi, May 28, 2006, in the city of Toronto, Page 4 [C-1-02574].

Li Hongzhi's teachings are polarizing, as he makes clear that there are "ordinary people" – who will be destroyed in the coming apocalypse – and Falun Gong practitioners, who will be saved:

The Budda Fa is most profound: it is the most intricate and extraordinary science of all theories in the world. In order to explore this domain, people must fundamentally change their conventional human notions. Failing that, the truth of the universe will forever remain a mystery to humankind, and everyday people will forever crawl within the boundaries set by their own ignorance.

...

It is futile for man, regardless of what perspective he takes, to refute the Fa and principles of the universe . . . especially when the morality of human society is on the verge of total collapse and the mighty universe has once again shown great compassion and given mankind this final chance. Mankind should treasure and cherish this hope above all. Out of selfish desires, however, man is undermining this last hope the universe has granted him, thereby incurring the wrath of the entire universe. Li Hongzhi, *Essentials For Further Advancement* (2001) at 1, 116.³⁵

10. Li Hongzhi Has Taught that the Falun Gong Is Not A Religion

Although the Plaintiffs assert for the purposes of this litigation that Falun Gong is a religion, Li Hongzhi has taught that the Falun Gong is not a religion: "We have no required religious regulations of any kind, nor are there any temples, churches, or religious rituals. People can come to learn it, or leave as they please – there is no binding membership. In what way does it have anything to do with religion?" Li Hongzhi, *Essentials for Further Advancement* (2001), at 111.⁴⁰

³⁵ See also, e.g., *Fa Teaching at the 2008 New York Conference*, Li Hongzhi, May 24, 2008, Manhattan, Page 2, C-1-02886 ("The truth is that some people simply cannot be saved and are not worthy of being saved.").

⁴⁰ Maria Hsia Chang, *Falun Gong: The End of Days*, 60 ("Li maintains that although Falun Gong has certain characteristics in common with religion . . . it does not qualify as a religion . . .") (citing Falun Dafa Yijie (The Meaning and Explanation of Great Law of the Wheel) 104.

There is considerable academic debate as to whether the Falun Gong is appropriately classified as a religion.⁴¹

IV. The Politicization Of The Falun Gong

Academics and others who have studied and written about the Falun Gong (including myself) have observed that it is a movement that has become increasingly political and that it “engage[s] in public, collective, political actions in major cities utilizing the organizational capabilities of information and communication technology.”⁴² As David Ownby, a professor of history, observed, “the movement has become very politicized since 1999.”⁴³ Stephen Noakes, a professor of politics and international relations and Asian studies, has made similar observations: that the Falun Gong has “morphed from a spiritual movement to a more overtly political one, initiating its own transnational advocacy campaign.”⁴⁴ The increasingly political nature of the Falun Gong is an important background factor in understanding the tension that exists between the plaintiffs and defendants in this litigation and understanding the context, actions and words allegedly having taken place at the incidents at issue in this case. Only by understanding this cultural phenomenon can one place the alleged incidents at issue in this litigation in proper context.

The increasingly political nature of the Falun Gong is demonstrated in a number of ways. First, the Falun Gong actively and publicly condemns the government of China, as its founder Li Hongzhi, has made clear in numerous writings and lectures. As Professor Maria Hsia Chang aptly observed, Li Hongzhi’s writings have increasingly “took on political and apocalyptic overtones.”⁴⁵ Indeed, although the Falun Gong often portrays itself as stressing forbearance, Professor Chang

⁴¹ E.g., William T. Liu, *A Sociological Perspective on Falun Gong* (printed in *The Mystery of China’s Falun Gong*, Singapore University Press 1999), 37, 39 (“FLG can hardly qualify itself as a religion” . . . Li Hongzhi explicitly denied FLG is a religion”); Noah Porter, *Falun Gong in the United States: An Ethnographic Study* (Dissertation.Com 2003), v, 2, 39-42, 48-53, 145-46 (discussing that Falun Gong practitioners claim that Falun Gong is not a religion, and providing an overview of academic discussion of whether the Falun Gong is appropriately considered a religion or a cult); David Ownby, *Falun Gong and the Future of China*, 17-22 (providing overview of academic debate as to whether Falun Gong can be classified as a religion).

⁴² Weishan Huang, “The Geopolitics of Religious Spatiality and Falun Gong’s Campaign in New York,” in *Topographies of Faith: Religion in Urban Spaces* (Leiden: Brill 2013), at 141.

⁴³ David Ownby, *Falun Gong and the Future of China* (Oxford University Press 2008), at viii.

⁴⁴ Stephen Noakes, *Falun Gong, Ten Years On: Review Article*, 83 Pac. Aff. 349, 350 (2010). See also, Yuezhi Zhao, *Falun Gong, Identity, and the Struggle Over Meaning Inside and Outside China* (discussing the “Falun Gong’s interactive network of multilayered media activism” and that the “Falun Gong [is] an unprecedented force in contesting and subverting Chinese state media power”), (published in *Contesting Media Power: Alternative Media in a Networked World*, edited by Nick Couldry and James Curran (Rowman & Littlefield Publishers, Inc. 2003), 216, 219.

⁴⁵ Maria Hsia Chang, *Falun Gong: The End of Days* (Yale University Press 2004), at 15.

correctly points out that Li Hongzhi's political rhetoric has actually contemplated violent confrontation with what he views as an evil government:

In August 2002, he (Li Hongzhi) wrote that his disciples should "let go of all worldly attachments (including the attachment to the human body)," and that they must "step forward" and "achieve consummation" by facing imprisonment or death. . . . More ominous still, in a 2001 New Year's Day message, he seemed to urge his followers to escalate their struggle against the government. "The present performance of the evil," Li wrote, "shows that [the government is] . . . utterly inhuman and completely without righteous thoughts. So such evil's persecution of the *Fa* [law] can no longer be tolerated." Given that, the faithful could rightfully "go beyond the limits of forbearance" because tolerance "is not equivalent to doing nothing. . . . If the evil has already reached the point where it is unsavable and unkeepable, various measures at different levels can be used to stop it and eradicate it." He also anticipated that his disciples' struggle were leading to a transcendent event he called "the Consummation," in which only the believers would "leave" and those who remained ("all bad people") would pay for their sins with "horrible suffering" and "will be destroyed by gods." (p. 15).

A second significant development that demonstrates the increased politicization of the Falun Gong is the existence of a newspaper called The Epoch Times. In the year 2000, Falun Gong practitioners founded The Epoch Times, which has been available in print and on line since that time.⁴⁶ The Epoch Times is a publication that plainly has a strong political aspect, with an editorial stance that is plainly opposed to the Chinese government.⁴⁷

In addition to the numerous editorials and articles that condemn the Chinese government that regularly appear in The Epoch Times, in 2004, the Epoch Times published of *The Nine Commentaries on the CPC* [九评共产党], which is an overtly political diatribe. The *Nine Commentaries* is anti-Chinese government manifesto that harshly criticizes the Chinese government as "an evil cult," and makes personal attacks on China's former leader Jiang Zemin (who served from 1989 to 2003). Its polemical style is so harsh and one-sided that even academics such as Professor David Ownby, who admits that he has attempted a sympathetic understanding of Falun Gong, has written that the Nine Commentaries "lack balance and nuance, and read like anti-Communist propaganda written in Taiwan in the 1950s, or perhaps like McCarthyite boilerplate from 1950s America."⁴⁸ As a result of the polemic style of the Nine Commentaries and the pieces published by the Epoch Times editorial board, many Chinese-Americans, particularly those born in China, are put off by what they view as the Falun Gong's overly-aggressive and one-sided viewpoint against the Chinese government.

⁴⁶ David Ownby, *Falun Gong and The Future of China*, ("Falun Gong practitioners founded a newspaper, the Epoch Times, which has been available electronically and in a print version since its inception in 2000.").

⁴⁷ David Ownby, *Falun Gong and The Future of China*, ("[T]he Epoch Times is clearly political.").

⁴⁸ David Ownby, *Falun Gong and the Future of China*, 221.

A third development that demonstrates that increasingly political nature of the Falun Gong is the founding of the New Tang Dynasty television network. This television network “was set up largely to propagate the views of Falun Gong among Chinese-speaking audiences throughout the world.”⁵⁰ By incorporating the historic imperial “Tang Dynasty” in its name, this Falun Gong media outlet leaves no question about the political ambitions of the Falun Gong movement. Indeed, Li Hongzhi has the same surname (“Li”) as the Li family that founded the Tang Dynasty, which highlights the obvious use of the Tang Dynasty name in this quite public challenge to the Chinese government.

The notion of leading a new dynasty is explained in Li Hongzhi’s teachings. Many of his teachings make clear that he will lead a new era. For example, in his teaching to his followers at San Francisco on November 5, 2005, Li stated:

What's meant by "getting involved with politics," and what's meant by "cultivation form"? This is where a lot of people err. Suppose that I, Li Hongzhi, had chosen in this life to be an emperor and to lead a group of subjects to cultivate. Would that work? *(Applause)* Yes! It definitely would! As long as the Fa was upright and could truly ensure that lives elevated, and as long as the path was walked righteously, then it definitely would work! If it really were as I described, then that, too, would count as the future's choice, and it too would be the requirement of the future cosmos. San Francisco on November 5, 2005 [C-1-02592].

A fourth development demonstrating the growing political nature of the Falun Gong is the Falun Gong’s setting up of tables in the middle of busy city streets, at which they distribute literature that is political in nature and extremely critical of certain policies of the Chinese government. On Main Street in Flushing, Queens, the Falun Gong runs tables that are placed on the public sidewalks, just off to the side of the sidewalk where masses of crowds walk. The Falun Gong operates these tables almost every day of the year. I have personally seen and visited these tables, as well read the literature that is distributed at the tables. Moreover, the plaintiffs in this case have testified about these tables: that they are run virtually every day of the year, and that they distribute what one plaintiff called propaganda⁵¹ against certain policies of the Chinese government.

A fifth manifestation of the Falun Gong’s increasing political nature is the dance company Shen Yun. Shen Yun is a dance company that was founded by members of the Falun Gong. This dance company has a number of troupes that travel across the world, putting on performances that involve Chinese dance and costumes. Academics and writers at mainstream newspapers have observed that there are clear political overtones to the Shen Yen performances. I have seen a Shen Yen performance in Madison Square Garden and agree with this assessment. Many mainstream academics, such as David Davies, an associate professor for anthropology and East Asian studies, and news reporters, such as Martha Schabas, have observed that the performances interweave

⁵⁰ David Ownby, *Falun Gong and the Future of China*,.

⁵¹ Cui Depo. 13:[insert line number], [insert date] (“Q. Okay. Is the spiritual center open to all Falun Gong practitioners? A. For the Falun Gong members, yes, it is. This is a place where we have tables. We have tables, and that's where also we have propaganda material.”).

sequences of lighthearted dance, with other clearly political scenes intended to depict Chinese officials as evil. Professor Davies calls Shen Yun “a heavily managed propaganda device for Falun Gong” that blends “the aesthetic of silk-robed, exotic dancing Chinese women with a strong political message.”⁵² Ms. Schabas comments that though she saw “technical grace” in Shen Yun’s program “as it stands, Shen Yun feels gauche politically motivated.”⁵³ Having seen the performance, I concur with these observations.

V. The Falun Gong’s Inflammatory Political Speech Results in Tension Between the Falun Gong and a Some Members of the Chinese-American Community

As set forth above, as noted by academics and other observers of the Falun Gong, over time the Falun Gong has increasingly engaged in aggressive political speech. This speech is not only political, but is often inflammatory or exaggerated political speech using, often without providing evidence to support the claims. This political message is promoted with media outlets that include the Epoch Times, the New Tang Dynasty television network and Kan Zhongguo (Look at China, an internet website).⁵⁴ The Falun Gong also chose to inject its political invective on public streets where there is a large Chinese-American population, including Main Street, Flushing. This political speech includes polemic and sharp criticism of the Chinese government.

As a result of the increasingly aggressive and persistent political speech that the Falun Gong chooses to inject in the public forum, a very real and tangible tension has developed between the Falun Gong and a segment of the Chinese-American community which feels that the Falun Gong is simply too one-sided, absolutist and extreme about its hostility toward the Chinese government. When one adds to this mix the many controversial and sometimes outlandish teachings of Li Hongzhi as discussed above, this has lead a substantial number of Chinese-Americans to view the Falun Gong as fanatical and even cult-like.⁵⁵

⁵² Kristin Tillotson, *Shen Yun: Politics Behind the Performance*, Star Tribune, February 6, 2015 (quoting Professor Davies).

⁵³ Martha Schabas, *Inside Shen Yun’s delicate dance between politics and the stage*, The Global and Mail, Mar. 3, 2017.

⁵⁴ Vanessa Hua, *Falun Gong dispute hangs over S.F. Chinese parade*, Jul. 15, 2010, available at <http://www.sfgate.com/news/article/Falun-Gong-dispute-hangs-over-S-F-Chinese-parade-2542551.php> (“[Professor] Wang said the movement has a vast network of newspapers, radio stations and (worship) cells throughout the world and across the United States. He said he was referring to Epoch Times, New Tang Dynasty Television and Sound of Hope Radio, all U.S.-based, Chinese-language media outlets with strong ties to the movement.”); Eric Konigsberg, *A Glimpse of Chinese Culture That Some Find Hard to Watch*, N.Y. Times, Feb. 6, 2008, at B1 (“The Radio City event, [a production of New Tang Dynasty Television], “is kind of a P.R. front to try to normalize Falun Gong’s image, so that people don’t think of it as some kind of a wacko cult,” said Maria Hsia Chang, a professor of political science.”).

⁵⁵ Diane Haithman, *Art or politics? Ties to spiritual sect cast shadow on Chinese New Year Spectacular*, L.A. Times, Jan. 7, 2008 (“Falun Gong members have raised hackles in the mainstream Chinese-American community -- in part because some consider Falun Gong a fringe group or cult religion and in part because of the group’s in-your-face approach to spreading its message [...] ‘I think some of the tactics used by the Falun Gong are not very welcome,” says Peter Kwong, [who was] a sociology professor at the City

The result of this is a cultural phenomenon – a palpable tension between the Falun Gong and many non-Falun Gong members within the Chinese-American community -- that is very real.⁵⁶ This tension has been the subject of academic writings and news reports from mainstream newspapers, including those cited in this report. I also have personal knowledge of this tension based on my interactions with many hundreds of Chinese-Americans over past 20 years living in New York City.

However, this cultural phenomenon, while real, is not widely known to the average American who is not from China or a member of the Chinese-American community. Therefore, for a jury to understand the background and context of the disputes and incidents at issue in this litigation, it is extremely important for an expert such as myself to provide the cultural context and background. As Weishan Huang points out, “in order to understand the politics diversity within ethnic Chinese politics, we will have to locate the immigrant community in a global milieu. In the conflict between Falun Gong and the Chinese government, that tension has been translated to the streets of New York City, which unveils the politics of immigrant communities as a reflection of domestic politics in their home countries.”⁵⁷

One factor contributing to the tension between the Falun Gong and non-Falun Gong members of the Chinese-American community is the Falun Gong’s belief that Chinese-Americans (particularly those from China) have been brainwashed by the Chinese government and thus have lower moral standards than people who are not Chinese. For example, Li Hongzhi has taught that is difficult for Chinese people to tell right from wrong:

When Chinese people look at things with the worldview instilled by the wicked Party, it is truly hard for them, having been "reformed" in this manner, to tell right from wrong or good from evil in the human world, or for them to recognize the Fa or the Truth.

University of New York’s Graduate Center and professor of Asian American Studies at Hunter College. “They are very aggressively pushing their agenda to the extent that some people think it is giving China -- and the Chinese in general -- a bad name.”).

⁵⁶See, Larry Tung, New Year’s Show Sparks Controversy, Gotham Gazette, March 10, 2008, available at <http://www.gothamgazette.com/index.php/civil-rights/3908-new-years-show-sparks-controversy> (discussing a New Year’s production by New Tang Dynasty in which a large number of audience members left the performance midway because of its strong political undertones); Colin Moynihan and Cara Buckley, Falun Gong Marchers are Jeered in Chinatown, N.Y. Times, May 26, 2008, available at <https://mobile.nytimes.com/2008/05/26/nyregion/26falun.html> (discussing Chinese-Americans negative reactions at a Falun Gong parade held in New York City in the wake of the 2008 earthquake in Sichuan, China); Cory Kilgannon, A Battle for Chinese Hearts and Minds in Flushing, available at <https://cityroom.blogs.nytimes.com/2011/03/07/a-battle-for-chinese-hearts-and-minds-in-flushing/comment-page-3/?mtrref=www.google.com&mtrref=cityroom.blogs.nytimes.com&gwh=F76D5B6BAFD39FE37F3C1343CFB75D36&gwt=pay> (reporting on the tensions between the Falun Gong and members of the Chinese-American community in Flushing);

⁵⁷ Weishan Huang, in *Topographies of Faith: Religion in Urban Spaces* (Leiden: Brill 2013), 142.

Li Hongzhi, *Fa Teaching at the 2007 New York Fa Conference, April 7, 2007* in Manhattan, Li Hongzhi, Page 3-4 C-1-02845 – C-1-02846.

Li Hongzhi's teachings that Chinese people find it hard to tell right from wrong is shared with Falun Gong members, including some of the plaintiffs in this litigation. I have read deposition testimony of the plaintiffs in this case, who admitted that in their view, Chinese-Americans are of a lower moral quality than Americans of other races and backgrounds, such as Caucasians.

In addition to viewing Chinese-Americans as less able to tell right from wrong, Li Hongzhi has encouraged Falun Gong practitioners to inject themselves into the streets of Chinese-American communities in efforts to convert them from their morally inferior position:

Take San Francisco, for example. I've found that the environment of the downtown area and that of the whole Bay Area still isn't up to par; the evil factors here are still abundant. The fact is, you should make these places the focus. You should go where there are a lot of Chinese people and clarify the truth, and save those badly-poisoned Chinese communities. You have all seen that the places where tourist groups from mainland China shuttle in and out are where they are concentrated. There are a lot of Chinese people in other parts of the Bay Area, too, but they are scattered. The goal of your clarifying the truth is to save as many sentient beings as possible, and those who have been poisoned the most severely are none other than the Chinese people. Superficially speaking, what Dafa disciples are doing is counteracting the persecution, but in reality your greatest duty is to save sentient beings, and that is the true embodiment of validating the Fa. The persecution that has been perpetrated upon Dafa disciples and upon the people of China was launched by the wicked Party in mainland China, and this means that you need to focus on mainland China, to focus on the people of mainland China. Chinatown is precisely the kind of place that mainland Chinese patronize the most, so you can't let up there and lose out on that place, a place where Dafa disciples stand to have a tremendous effect. For this reason you should all take pause and seriously ask yourselves: Had you been feeling that those places were a bit too evil and were you a little afraid? But think about it--who should actually be afraid of whom? San Francisco on November 5, 2005 [C-1-02588]

This view held by Li Hongzhi and certain Falun Gong members – that Chinese people find it hard to tell right from wrong, or are somehow morally inferior to Americans of other backgrounds – can be seen as a not-very-subtle form of racism, or a form of prejudice, against Americans of Chinese background. The notion that because people are from China or have Chinese heritage, they are presumed to be of lower moral integrity, is no different than close-minded and racist statements about other minorities based on sweeping generalizations and stereotypes. This is the definition of prejudice and racism: not looking at the individual or her specific actions, but instead making presumptions about the moral integrity of the person based on national origin or race.

The message from Li Hongzhi and some members of the Falun Gong or those that sympathize with them – including some of the plaintiffs here -- is essentially that unless a Chinese

person becomes enlightened and adopts Falun Gong's particular practices and world views, this Chinese person will remain in the inferior moral state she is by virtue of being Chinese. Not surprisingly, many Chinese-Americans are deeply offended by this form of stereotyping by Li Hongzhi and some of his followers. The presence of Falun Gong members on the public streets of Chinese-Americans, seeking to convert supposedly brainwashed and morally inferior Chinese-Americans to the light of Falun Gong, has created a tension between Falun Gong activists and many Chinese-Americans who feel stereotyped by this polemic.

A second factor that contributes to this tension is the fact that Falun Gong members who are passing moral judgment against people are simultaneously promoting the types of strange and controversial beliefs discussed above. This includes Li Hongzhi's teachings about alien visitation, extraterrestrial's plans to take over Earth, separate heavens for separate races, opposition to women's liberation, and Li Hongzhi's claims to be able to levitate and travel through space time. As discussed in more detail below, such strange beliefs have caused some Chinese-Americans to view the Falun Gong as a type of cult, not unlike other cults that teach racist views, make wild claims about alien visitation and a coming apocalypse. Put simply, for many Chinese-Americans, for a group that promotes such strange teachings to be passing judgment against Chinese-Americans as being morally challenged is hypocritical.

A third factor contributing to the tension between the Falun Gong and segments of the Chinese-American community is that the Falun Gong has acted secretive and misleading about its political agenda, thus leading many in the Chinese-American community to view the Falun Gong as disingenuous. Academic studies of the Falun Gong have observed the Falun Gong's unfortunate lack of candor on issues relating to its political agenda and the tension this has created. Indeed, the Falun Gong engages in a type of double-talk and hypocrisy that offends many Chinese-Americans. One set of communications, tailored mostly to practitioners, includes the many controversial teachings discussed herein. Yet, in the communications appealing to a more general audience (that is, in the public relations and Western audience), the Falun Gong underplays these teachings, and instead presents a more polished, albeit incomplete, narrative and image regarding the movement. As one Wall Street Journal reporter observed, even though the "the denials of Falun Gong links to [certain media outlets and interest groups] appear to be aimed at making it easier for [Falun Gong] to expand their audiences beyond Falun Gong followers to the global Overseas Chinese community as a whole, as well as to fend off interference from the Chinese government [...], the dissembling raises awkward questions about how committed [they] are to the values of a democratic society, including basic principles of transparency and accountability."⁵⁸

For example, as Professor David Ownby observed, "the Epoch Times illustrates certain tensions that seem to have best Falun Gong activists, or the posture of Falun Gong in general, as their fight against the Chinese state has dragged on."⁵⁹ Specifically, Falun Gong practitioners, including those who work at the Epoch Times, have denied that the Epoch Times is a "Falun Gong newspaper," even though it was founded by Falun Gong practitioners, many of its journalists are

⁵⁸ Susan v. Lawrence, *Falun Gong Fields Media Weapons*, *The Wall Street Journal*, April 14, 2004, available at <https://www.wsj.com/articles/SB108190438992282143>.

⁵⁹ David Ownby, *Falun Gong and The Future of China*, 222.

Falun Gong practitioners, and at least part of its staff is made up [of] volunteer workers, many of whom are Falun Gong practitioners.”⁶⁰ Professor Ownby aptly points out that the lack of candor by the Falun Gong regarding the Epoch Times comes “very close to dishonesty” in attempting to promote the fiction that the Falun Gong is not promoting a political message:

[O]nly a series of half-truths allows the newspaper, or practitioners, to deny that the Epoch Times is a Falun Gong newspaper. True, it may not receive a monthly check from Li Hongzhi, and Falun Gong may not even be a financial entity, but the Epoch Times was set up by Falun Gong practitioners with their own money, and if Falun Gong practitioners ceased their work – paid or voluntary – for the newspaper, the Epoch Times would fold. . . . Ultimately, one might think of the Epoch Times as a political arm of Falun Gong, and in denying that the newspaper is Falun-Gong financed and run, practitioners get to preserve the psychologically reassuring fiction that the movement itself and individual practitioners remain apolitical. This comes very close to dishonesty (or at least a Clintonian sleight of hand) and discredits to some degree the integrity of practitioners and the movement – in addition to work at cross-purposes with the goals they hope to achieve.⁶¹

A similar type of implausible denial by the Falun Gong regarding its political aspects exists with respect to the Shen Yun dance company. Shen Yun advertises and promotes its dance company as focused on traditional Chinese dance. The Shen Yun website and its promoters deny that it is a political performance. However, academics and numerous mainstream reporters have pointed out that the performances plainly have a strong political component. As Professor Ownby observed: “The thing that irritates Chinese people everywhere is the specious claim that they’re representing traditional culture.”⁶² Similarly, Professor Emily Wilcox, a professor of modern Chinese studies, disputes Shen Yun’s claims to uniqueness as part of a political agenda: “Shen Yun’s claims that they are the only source of authentic Chinese dance is completely ridiculous and clearly part of their mission to exploit Chinese cultural experiences for their own political purposes, without regard to historical accuracy.”⁶³

A fourth factor contributing to the tension between the Falun Gong and segments of the Chinese-American community is the fact that the Falun Gong movement and particular its activists

⁶⁰ David Ownby, *Falun Gong and The Future of China*, 222. It is noteworthy that Li Hongzhi told his followers that *The Nine Commentaries* carries “the power of Dharma” and it is “an enterprise that the Master (Li Hongzhi himself) instructed to be done” (Speech in San Francisco, Nov. 5, 2005).

⁶¹ David Ownby, *Falun Gong and the Future of China*, 223; See also, Yuezhi Zhao, *Falun Gong, Identity, and the Struggle Over Meaning Inside and Outside China* (Although Epoch Times displays an indisputable ideological and organizational affinity with Falun Gong . . . the Epoch Times tries to present itself as . . . ‘independent of any political and business groups . . . and objectively and fairly reports facts and truth. . . . Notwithstanding its claims of objectivity, Epoch Times concentrates heavily on negative news of the Chinese government and sympathetic pages about Falun Gong.’”).

⁶² Kristin Tillotson, *Shen Yun: Politics Behind the Performance*, Star Tribune, February 6, 2015 (quoting Professor Ownby).

⁶³ Ada Tseng, *Shen Yun Celebrates Chinese Dance. But It Also Has a Political Edge*, LA Weekly, March 18, 2014 (quoting Professor Emily Wilcox).

are extremely sensitive to any dissent from their political and philosophical views – a factor which is also highly relevant to the background and context of the street encounters that are the subject of this litigation. The Falun Gong's forceful and defensive reaction to any type of dissent has been the subject of academic discussion, even among academics who generally sympathize with the Falun Gong. James Lewis, a professor of religious studies, for example has said that the Falun Gong "has a dark, little-known history of forcibly silencing critics" and that "their [...] attacks [are] part of a larger effort to silence media publications and broadcasts which they judge to be false because such items are critical of their group, or because these media appear to give voice to the perspective of the People's Republic of China (PRC) on Falun Gong."⁶⁴ New York Times reporter Craig Smith, agrees, observing that "Falun Gong is no more tolerant of the Western press" than it is of the Chinese government's media. He has personally experienced the Falun Gong's resistance to any disagreement and recalls:

When I wrote in The Wall Street Journal last year about a \$600,000 New Jersey home bought by Mr. Li's wife (Mr. Li said the house was actually a gift from a follower that was later returned), Mr. Li's spokesman, Zhang Erping, told me on the telephone, "How does it feel to know that millions of Falun Gong practitioners in China know your name?" Afterward, I received dozens of email messages and faxes from angry Falun Gong followers, including one from Lili Feng, an assistant professor at Scripps Research Institute in San Diego, who warned, "You will get paid back for what you said and did by gods."⁶⁵

Similarly, Heather Kavan, a lecturer and researcher of cults, extreme religion and altered states, recounts her experience with Falun Gong's forceful and defensive reaction at the conclusion of one of her research studies:

When the research was finished, I was quoted in a press release on new religious movements, in which I said that the FBI's definition of a potentially violent religion was so broad that several groups in New Zealand would fall into it, and cited Falun Gong as one of several examples. Falun Gong [...] were offended that they were classified with other religions that they perceived to be "totally evil", and I received a phone call warning me that I would be deluged by a hundred callers from a Falun Gong email list. Several emotionally-charged phone calls followed, in which the callers demanded the press release be removed from the Internet... This experience nevertheless highlighted for me the similarity between Falun Gong's view of what

⁶⁴ James R. Lewis, *Sucking the 'De' Out of Me: How an Esoteric Theory of Persecution and Martyrdom Fuels Falun Gong's Assault on Intellectual Freedom*, *Alternative Spirituality and Religion Review* Volume 7, 2016, Issue 1, pp. 93-109, at 93-94.

⁶⁵ See also, Craig G. Smith, *THE WORLD: Rooting Out Falun Gong; China Makes War on Mysticism*, N.Y. Times, Apr. 3, 2000, available at <https://mobile.nytimes.com/2000/04/30/weekinreview/the-world-rooting-out-falun-gong-china-makes-war-on-mysticism.html>

constitutes fair media treatment and the Communist party's model, which suppresses dissenting voices."⁶⁶

The political and cultural background regarding the Falun Gong's resistance to dissent is highly relevant to a jury being able to place the Chinese language and incidents at issue in the litigation in context.

As discussed above, the Falun Gong's choice to engage in inflammatory political speech, including labeling Chinese-Americans as brainwashed, has resulted in a palpable tension between the Falun Gong and a portion of the Chinese-American community. The Falun Gong feels justified in promoting its message, one that has become increasingly political, including on the streets of Flushing virtually every day of year. At the same time, many Chinese-Americans do not appreciate being stereotyped as brainwashed based solely on their ethnic background. Many Chinese-Americans who were born in China also feel that, while their homeland is not perfect, they do not appreciate the completely one-sided, fiery and exaggerated claims made by the Falun Gong about China. That is, the invective and rhetoric used by the Falun Gong has the effect of them being seen by many as a fringe group. In addition, because the Falun Gong promotes many controversial and strange teachings, this is a factor leading many Chinese Americans to consider the Falun Gong a cult.

Thus, what results is a dynamic where the Falun Gong is forcefully promoting its views in the certainty and fury of its righteousness, while many Chinese-Americans view the Falun Gong as fanatical and intolerant of any differing view. Predictably, this leads to tension in the public street, including sharp verbal exchanges or apparently even scuffles, which have been covered by the media. This cultural background is important to understanding the social context of the incidents at issue in this litigation.

VI. There Is Debate Among Those Studying the Falun Gong As To Whether The Falun Gong is Appropriately Referred to As a Cult

Among academics and others who have studied the Falun Gong, there is an ongoing debate as to whether the Falun Gong may appropriately be referred to as a cult. Based on my experience, including interacting with hundreds of students, teachers and the general population in New York City, this debate is not known to the average prospective juror in this action. The fact that there is such a debate among educated and reasonable thinkers is highly relevant background information to understanding the foreign language used and context of the incidents at issue.⁶⁷

⁶⁶ Heather Kavan, "*Falun Gong in the media: What can we believe?*" (Paper presented at the Australian and New Zealand Communication Association Conference 2008). I have personally witnessed and experienced the Falun Gong's resistance to any disagreement. During two panel discussions over Radio Free Asia (one on November 13, 2000, one another on April 1, 2001), I expressed what I considered to be measured and reasonable criticism of some Falun Gong tendencies. The spokesman for Li Hongzhi, Zhang Erping, accused me of being part of the propaganda of the Chinese Communist Party – an assertion that has absolutely no basis in reality.

⁶⁷ I wish to be clear that, for the purposes of this report and this litigation, the relevant question in my view is not whether the Falun Gong is, in fact, a "cult." That is a matter of opinion, and reasonable people can disagree.

On one side of the aisle, there are academics who have concluded that the Falun Gong may be characterized as a cult. For example, Professor Margaret Thaler Singer, who was a clinical psychologist and professor, studied and wrote about cults. In her view, “the Falun Gong has many of the characteristics of a true cult.”⁶⁸ Professor Singer pointed to Li Hongzhi’s teachings, including “a doomsday prediction that promises salvation only through total obedience and subservience to the cult leader, [and] zero tolerance for dissent.” Similarly, Zixian Deng and Fang Shimin have argued that many aspects of Li Hongzhi’s teachings are consistent with characteristics of cults, including what they call a “total dependency theory”;

We consider Li’s teaching as advocacy of a total dependency theory. The condition of salvation is, unlike many other religions, not a teaching of self-help but waiting for the fated intervention by Li himself, who also willed the predestination of the disciples. Socially, such a belief system is what a cult needs for it provides a foundation of fear for the withdrawal of the grace by the “Master.” Removing human autonomous agency creates an opportunity for indoctrination.⁶⁹

Heather Kavan, likewise argues that:

Characteristics associated with cults include: an idolised charismatic leader who exploits people by letting them believe he – and it usually is a ‘he’ – is God’s mouthpiece; mind control techniques; an apocalyptic world view used to manipulate members; exclusivity (‘only our religion can save people’); alienation from society; and a view of members as superior to the rest of humanity.

If we employ these criteria, Falun Gong could be described as a cult. By his own account Li is the exclusive saviour of the world. He teaches that members are superior to ordinary people, and they must relinquish “affection for kinsfolk, love between a man and a woman, an affection for parents, feelings, [and] friendship” (Li, 2003b, lecture 4, para. 3). Also, Falun Gong activities take up large amounts of practitioners’ time each day. To be sure, practitioners are free to exit Falun Gong whenever they want, but this freedom is a physical reality, not a psychological one. As the Chinese members I met had no exposure to other spiritual paths, they believed the peace they experienced in meditation is only available through Falun Gong. Moreover, if they are left behind in the apocalypse they will suffer horribly (Li, 2000a). (The date of this event is uncertain because Li can use his mystical powers to delay it, but participants were expecting it within the next 25 years.)⁷⁰

⁶⁸ Margaret Thaler Singer, *Cults in Our Midst: The Continuing Fight Against Their Hidden Menace* (Jossey-Bass 2003), 352.

⁶⁹ Zixian Deng and Shimin Fang, “*The Two Tales of the Falun Gong: Radicalism in a Traditional Form*,” (Paper presented at the Annual Conference of the American Family Foundation 2000).

⁷⁰ Heather Kavan, “*Falun Gong in the media: What can we believe?*”

In light of the above, it is understandable why some of the academics and others studying the Falun Gong have referred to the movement as a cult. The elements of Li Hongzhi's teachings involving, for example, alien visitation, racism, the coming apocalypse and his claim to have the unique gateway to being saved during that ultimate reckoning have led many to refer to the Falun Gong movement as a cult or other similar terminology.

On the other hand, there are academics and others who study the Falun Gong who believe that it is difficult to define what a cult is, or otherwise object to that label. Professor Maria Chang has written that the word "cult" can have various meanings in different settings, as has pointed out that some thinkers recommend that other value-neutral words be used, such as "sect." Similarly, in his study and thesis concerning the Falun Gong, Noah Porter concluded that "[w]hether you wish to label the Falun Gong negatively depends on your values." Porter, *supra*, at 44. Professor David Ownby has also provided a survey of the wide-ranging debate involving the use of the word cult, and how the Falun Gong may be characterized. Professor Ownby points out that some studying the Falun Gong prefer to view it "not as a sect but as a 'cult-like New Religious Movement.'" Ownby, *supra*, at 20.

Put simply, there is a plethora of academic studies and articles regarding the Falun Gong that make it abundantly clear that there is a robust debate among reasonable people studying the Falun Gong as to whether and to what extent the Falun Gong is appropriately referred to as a "cult." The fact that academics and those studying the Falun Gong disagree amongst themselves about whether the Falun Gong can be characterized as a cult is important to this case in light of the allegations that plaintiffs have made about the meaning, significance and context of the use of the Chinese word for "cult." The Plaintiffs point to one alleged use of the word cult, in particular the Plaintiffs' spin on how the Chinese government uses the word. This provides an incorrect and incomplete portrayal of how the thinkers, including those in the United States, use the word cult in relation to the Falun Gong.

The debate among those studying the Falun Gong about whether it may appropriately be called a cult demonstrates that the meaning of the word cult, including in Chinese, does not signal the use of violence. Rather, the word is commonly used in context to express disagreement with political or philosophical views of others.

VII. The Plaintiffs Are Incorrect In Asserting that Certain Chinese Words and Phrases Used by the Defendants Signal The Use of Violence

The Plaintiffs in this case allege that certain Chinese words and phrases, allegedly used by the Defendants, have meanings that promote violence, and imply or suggest the use of violence. However, in reality, a proper translation from Chinese to English of these phrases demonstrates that the words and phrases at issue do not mean, suggest or imply the use of violence. Moreover, the phrases that the Plaintiffs point to have a range of meanings, and, as discussed below, in context do not mean or imply the use of violence.

One Chinese term that the Plaintiffs focus much attention on is “xie jiao,” which can be translated into English as “cult.”⁷³ In Chinese, there is no single character that has the meaning that the word “cult” does in English. Instead, to capture the meaning of the English word “cult” in the Chinese language requires two characters: 邪教. The first character, xie, can be translated as “heterodox.” The second character can be translated as “teachings.” Thus, xie jiao can be understood as referring to heterodox or unorthodox teachings.⁷⁴ The phrase xie jiao can also be used to refer to groups that teach or maintain the heterodox or unorthodox teachings, what in English is commonly referred to as a cult.

The first character, xie, in capturing the concept of heterodox, can also be translated as “evil,” because a teaching that is “heterodox” or unorthodox can be seen as evil. Thus, xiejiao can be translated as both “cult” and “evil cult.”

In practice, the term xie jiao in Chinese is used to express disagreement with or disapproval of the teachings at issue or the group following such teachings -- just as cult or evil cult are terms used in English to express disagreement. However, there is nothing in the translation of xie jiao, and the two Chinese characters making up that term, which means or suggests the concept of committing violence or advocating violence. In fact, the founder of the Falun Gong, Li Hongzhi, has himself used these same terms (cult, evil cult, xie jiao) to describe other groups that he views as cults or evil cults. Specifically, in Zhuan Falun, Lecture Three of Zhuan Falun, in the subpart titled “The Buddha School Qigong and Buddhism,” Li Hongzhi uses the terms evil cults and religions to describe what he views as fringe movements, as follows:

Upon developing an attachment to fame and self-interest, they would ask the public to honor them with some titles. After that, they would found new religions, I am telling you that all of these are evil religions. Even if they do not harm people, they are still evil practices because they have interfered with people’s faith in orthodox religions. Orthodox religions can save people, but they cannot. As time passes, they do bad deeds on the sly. Recently many of these things have also been introduced to China. The so-called Guanyin sect [footnote 9] is one of them.

Li Hongzhi then labels the Guanyin sect a “cult”: “Guanyin (gwan-yeen) sect – a *cult* named after Bodhisattva Avalokitesvara, the ‘Goddess of Mercy.’” Exhibit D hereto is a true copy of the page from Li Hongzhi’s work using the word evil religion and cult.

In the Chinese-language version of this same work, Li Hongzhi uses the characters that make up the term “xie jiao” to describe the Guanyin sect -- the very same term that the Plaintiffs criticize the Defendants for allegedly using. See Exhibit D hereto.

⁷³ The Plaintiffs allege that the Defendants use the term xie jiao to mean or suggest that violence should be committed against the Defendants. Complaint ¶¶ 14, 47.

⁷⁴ *A New Century Chinese-English Dictionary* [新世纪汉英大词典] (Beijing: Foreign Language Teaching and Research Press, 2003), Xie jiao [邪教] means “(evil) cult; heresy.” In Chinese terminology, it also includes “sect” [On Cults 《论邪教》, p. 12, Guangxi People’s Publishing House, 2001]. Quite often, Chinese scholars also use it interchangeably with “superstitious sects and secret societies” (For example, Chi Po 迟坡, 铲除邪教: 共和国铲除反动会道门述实, 北京: 中央文献出版社, 1999).

Li Hongzhi again used the term “xie jiao” to reject religious movements. In 1998 Li Hongzhi taught:

I've said that religions nowadays are no longer capable of saving people. I didn't say they are evil religions... And there are some religions that talk especially about doomsday and focus on that stuff. Those are one-hundred percent evil religions. They cause social turmoil and are irresponsible to society. So it's not hard to distinguish these evil religions. I can also tell you that other than the original, upright religions, all the rest are evil ones. By original, upright religions I mean Catholicism, Christianity, Buddhism, Daoism, and Judaism. Those are the original, upright religions. In later historical periods, particularly in the later stages of Christianity, 99.9 percent of the religions that emerged were evil religions. Why is that? Even if they haven't done terribly wrong things, they hindered the upright religions in terms of saving people during the time when upright religions were still able to; they hindered people in practicing a righteous Fa, hindered people's belief in upright religions. Haven't they harmed people by leading them astray and interfering with righteous Fa? Aren't they evil? Just those sins alone are enormous. Frankfurt, May 30-31, 1998 [C-1-0880].

The Plaintiffs presumably will agree that in repeatedly using the phrase xie jiao to describe certain sects or religions, Li Hongzhi is not advocating or suggesting that violence be committed against the groups he is discussing. This highlights that the phrase xie jiao is used to express disagreement with the teachings or the group at issue, such that in English one might use the word cult or evil cult. In no way does the use of the terms cult, evil cult or xie jiao in any way suggest or mean violence.

Another example demonstrating that the term xie jiao does not mean or imply that violence should be committed is the Epoch Times' use of this exact phrase in describing the Chinese government. As discussed above, the Epoch Times is a news publication that was founded by the Falun Gong, and advocates Falun Gong political positions. As also discussed above, the Epoch Times published the political diatribe known as the “Nine Commentaries.” In the Nine Commentaries, the Epoch Times labels the Chinese government an “evil cult.” See Exhibit E hereto. In the Chinese-language version of that same work, the Chinese characters for “xie jiao” are once again used.

In light of the above, including the use of the term xie jiao by the Falun Gong's founder and the Epoch Times, it is clear that when the term xie jiao is used, it denotes that the speaker or writer is expressing disagreement with the teaching or group at issue, in a way similar to when an English speaking person labels a group a cult or a teaching cult-like. There is nothing about the use of the word xie jiao that suggests using violence.

The Plaintiffs appear to suggest that the use of the phrase xie jiao implies violence because of the way that term has allegedly been used by the Chinese government or Chinese officials. However, this argument ignores several points. First, the argument ignores the plain translation of xie jiao, which as discussed above does not mean or imply violence. Second, it is unfair and

prejudicial to the Defendants to assume or imply that because individuals other than them may use words to mean or suggest something other than their plain meaning (in another country under completely different circumstances), this somehow should be superimposed on what the Defendants mean when they allegedly use the same term.⁷⁶ Third, given the context in which the Falun Gong's founder and the Epoch Times have used the same terms, it is clear that the Falun Gong movement, as well as others who oppose the Falun Gong's political and philosophical views, each use the term xie jiao as a rhetorical device to express disagreement with the other's political and philosophical viewpoints.

Given the allegations made by the Plaintiffs in the Complaint about the purported meaning of the term xie jiao when used by the Defendants, it is extremely important for the jury to be provided the plain translation of the term xie jiao, as well as the fact that the same terms in both English and Chinese have been used by the Falun Gong's founder as well as the Epoch Times to describe groups whose political and philosophical views they disagree with. These translations and the context in which the term is used by Falun Gong itself are relevant to assessing the Plaintiffs' assertion that when the Defendants use the same term that the Falun Gong uses, it supposedly connotes violence.

It is also important to note that the above discussion regarding the politicization of the Falun Gong, and the Falun Gong's affiliation with the Epoch Times, is highly relevant background to understanding the use of the term xie jiao as alleged in the Plaintiffs' Complaint. The reality is that the terms cult, evil cult, evil religion and xie jiao were used by Li Hongzhi and the Epoch Times, including in Chinese language, to express disapproval and disagreement with certain groups and entities, including the Chinese government and certain sects. This background provides important context and demonstrates that (1) xie jiao as commonly used does not mean or suggest violence; (2) xie jiao is a rhetorical term used by the Falun Gong movement and its founder to express political and philosophical disagreement with other groups; and (3) to the extent that the Defendants have used the same term, it is being used in the same setting and context that the term was used by the Falun Gong movement and Li Hongzhi.

Another term that the Plaintiffs point to is the colloquial term "PK."⁷⁷ As used in the Chinese community and culture, this term was popularized by a famous TV singing competition program, Super girl Voices (超级女声) broadcast since 2004 in China. The term is typically used to describe situations, including sports, where there is one team competing against the other. As commonly used by people speaking Chinese, the term is not used to suggest that one should commit violence against another.

"Douzheng" is another term that the Plaintiffs alleged is used to mean or suggest that violence should be committed against the Falun Gong. The term douzheng means to struggle

⁷⁶ The Defendants object to the Plaintiffs' attempt to admit into evidence irrelevant and prejudicial information regarding actions taken by the Chinese government and actors other than the Defendants, including how the Chinese government uses certain terminology. If, over Defendants' objection, the Court permits testimony regarding how xie jiao has been used by the Chinese government, I reserve the right to address such topics.

⁷⁷ Complaint ¶¶ 14, 47.

against, and the word does not convey or imply the use of violence. The phrase has often been used in a political context to describe a “class struggle” and under most circumstances in positive way.⁷⁸ Since “Douzheng” is often put in the context of “class”, therefore, it is often used to describe an ideological, political or philosophical clash of ideas. Even in *The Nine Commentaries*, the Epoch Times pointed out the “philosophy of struggle” from the CPC and distinguished “armed (violent) struggle” from “literary (non-violent) struggle” (p. 25 in the Chinese version).⁷⁹

The other Chinese terms that the Plaintiffs point to (including “chedi dujue,”⁸⁰ “yanli daji,”⁸¹ and “zhuanhua”⁸²) similarly do not mean or convey violence, and in the context in which they were allegedly used, do not mean or connote violence or promote violence.

/s/ Ming Xia
Ming Xia

New York, New York
April 4, 2017

⁷⁸ “Douzheng (斗争): “传统用法。主要有四种含义。(1)指争斗、搏斗；(2)指战争；(3)指争讼、争辩；(4)指竞争、竞赛。1920年前很少使用，并多为负面含义。1920年后，使用次数大增，多指揭露、批评、打击。常用作“阶级斗争”，且多持肯定态度。金观涛、刘青峰，《观念史研究：中国现代重要政治术语的形成》，北京：法律出版社，2010，Pp. 605-606

⁷⁹ *A New Century Chinese-English Dictionary* defines douzheng in the Chinese characters to English as “struggle,” “fight,” “strive” and “combat.” *Id.* at 393. The examples of usage include: “fight to the end,” “combat unhealthy tendencies,” “struggle against adverse fate,” “fight injustice,” “fight against the forces of nature,” “combat one’s bad habits,” and “combat terrorism.” These examples demonstrate that, in the context used, douzheng does not mean to convey violence, but some type of struggle.

⁸⁰ *A New Century Chinese-English Dictionary* defines dujue to mean “stop,” “put an end to.” Examples of usage include “stop all corrupt practices,” “put a stop to evil customs,” and “clog up loopholes,” and “put an end to extravagance and waste.”

⁸¹ *A New Century Chinese-English Dictionary* defines yanli daji in the Chinese characters to English as “launch a tough crackdown on,” “deal a heavy blow to.” *Id.* at 305. Examples of usage include “crack down on illegal activities,” “combat or fight crime,” “strike out at illegal speculation,” “combat attempts to monopolize the market,” “combat unhealthy tendencies,” “throw cold water on or dampen the enthusiasm of the masses.”

⁸² The other terms that Plaintiffs point to also do not mean or convey violence, as shown by their plain definitions. *A New Century Chinese-English Dictionary* (“Zhuanhua”: “change, transform, translate”. Examples: “translate ideas/theories into practice;” “turn scientific research achievements into production force;” “Unfavorable factors can be turned into favorable ones.” *Id.* at 2136.); (Duifu: (1) “seal/cope with; tackle; attend to; handle”. Examples: “Deal with a complicated situation;” “Cope with difficulties;” “You can leave now, I can manage;” “He is hard to deal with;” (2) “make do”; examples: “During the war, there was an acute shortage of meat, so we had to make do without it.” “We have nothing edible in the house and have to make do with biscuits.” *Id.* at 407).

EXHIBIT 29

REBUTTAL EXPERT REPORT BY CAYLAN FORD

Expert Report of Caylan Ford

My name is Caylan Ford. I hold a B.A. (Hons.) in Chinese History from the University of Calgary and an M.A. in International Affairs from the George Washington University. I have also recently completed my dissertation in fulfillment of a M.St. in International Human Rights Law from the University of Oxford.

I am the author of several reports and articles on issues related to Falun Gong, and am currently the writer/researcher for two forthcoming feature documentaries on the topic: one on the use of administrative detention and torture in China's reeducation-through-labor camp system, and another that examines how China's state-run media has justified and encouraged political violence against Falun Gong.

Much of my research has focused on the group's suppression in China, media discourses surrounding Falun Gong, and the related dynamics within the Chinese diaspora community. I have also practiced Falun Gong since 2002, and although my research is conducted from an academic perspective, my own practice has afforded me extensive first-hand knowledge of the tenets of the faith and of the community itself.

I have written a dissertation on the Chinese party-state's efforts to extend its influence abroad, specifically through the control of Chinese-language media outlets and via the United Front Work Department and the State Council Overseas Chinese Affairs Office. Elsewhere, I have published on the Chinese government's efforts to project its preferred narratives abroad and its use of coercive tactics to marginalize opposing views in the overseas Chinese community.

The dissertation for my current Master's program considers whether Chinese leaders may be criminally responsible for genocide in the suppression against Falun Gong. It includes an analysis of whether Falun Gong should be classified as a religion under international law, and an assessment of the Communist Party's claims that Falun Gong is a "heterodox teaching" (*xiejiao*) or that it is a political, rather than a religious group.

I have previously testified before the U.S. Congressional Executive Commission on China about the Communist Party's suppression of Falun Gong. In 2015 I co-authored an article for the leading Chinese studies journal *China Quarterly* on the same topic. I have a forthcoming article in the journal *Review of Religion and Chinese Society* that examines the moral and philosophical origins of the suppression campaign. Specifically, the article focuses on claims in China's state-run media that Falun Gong represented a threat because of its "theistic" philosophy and its belief in gods and divine agency.

Publications:

"Unsanctioned religion and the challenge to Party legitimacy." in *Review of Religion and Chinese Society* (forthcoming)

"When Soft Power Turns Hard: Miss World, Coercion and China's Cultural Diplomacy." *E-International Relations*, 3 March 2017

(With Stephen Noakes) “Managing Political Opposition Groups in China: Explaining the Continuing Anti Falun Gong Campaign.” *China Quarterly*, Sept 2015.

“China’s policies toward spiritual movements,” Testimony for the Congressional-Executive Commission on China roundtable, 18 June 2010.

“An underground challenge to China’s status quo,” *Christian Science Monitor*, 21 October 2009.

The opinions I express in my expert submission, and the basis for each, are as follows:

I. Falun Gong is a religion, and shares many characteristics with major, mainstream faiths.

By any relevant criteria, Falun Gong is a religion. It has no significant differences in its belief system, social organization, or ethical positions from the various mainstream religions that enjoy full protection under U.S. and international law. Its status as a religion has been recognized by many governments, including that of the United States,¹ by experts and investigative bodies operating under the United Nations,² concerned NGOs and civil society organizations,³ and by the community of academic experts on the study of Chinese religion.⁴ As just one especially clear example, in a book titled *The Religion of Falun Gong*, Dr. Benjamin Penny, who is recognized as one of the preeminent authorities on Falun Gong and Chinese religion, directly states that Falun Gong is “profoundly religious” and “is, in all meaningful ways, a religion.”⁵ Nothing about its teachings or practices suggests that it is somehow different in kind—or somehow more “controversial” or “political”—than widespread religions such as Protestant Christianity, Catholicism, Tibetan Buddhism, Zen Buddhism, Daoism, Hinduism, etc.

Falun Gong’s teachings can generally be traced directly to the Buddhist and Daoist traditions of which it is a part. The belief in reincarnation, for example, has been a feature of various branches of Buddhism throughout its 2,500 years, and was also endorsed in the teachings of many other Indian-derived religions, various Middle Eastern, African, and Native American spiritual traditions, and even by influential Greek philosophers such as Pythagoras.⁶ Falun Gong adherents, like others who believe in a generally Buddhist cosmology, associate the process of reincarnation with the concept of “karma,” or the accumulated effect of good and bad deeds performed in one life impacting one’s subsequent incarnations.⁷ The Defendants strain credulity and mislead the court when they attempt to portray these ideas as abnormal, or as somehow justifying aggression and discriminatory

¹ U.S. Department of State, *International Religious Freedom Reports 2015: China*, (2015).

² UN Human Rights Council, *Report of the Special Rapporteur on Freedom of Religion or Belief* (2010) UN Doc A/HRC/13/40/Add.1.

³ Freedom House, “The Battle for China’s Spirit: Religious Revival, Repression, and Resistance under Xi Jinping” (February 2017).

⁴ Benjamin Penny, *The Religion of Falun Gong*, (University of Chicago Press, 2012); David Ownby, *Falun Gong and the Future of China*, (Oxford University Press USA, 2008).

⁵ Penny *supra* note 4 at 225.

⁶ Gananath Obeyesekere, *Imagining Karma: Ethical Transformation in Amerindian, Buddhist, and Greek Rebirth*, (Univ of California Press, 2002).

⁷ *Id.* at 130 (“According to the karmic prescription, if I have done something ethically wrong I will be punished in the future.”). *See also id.* at 138 (“parallel with the theory of karma is merit accumulation through good works, a fundamental feature of popular religiosity in Buddhist societies everywhere”).

treatment against Falun Gong adherents.⁸ To disqualify a belief system as a “religion” on the basis of the teachings of karma and reincarnation would eliminate the traditional majority beliefs of much of East, South, and Southeast Asia, together comprising about a third of the total world population.

Similarly, the idea that there are supernatural causes for natural disasters, or adverse personal situations such as illness or disability, is an even more common belief that extends beyond Asian religious traditions to encompass those of most of the Western world as well. This theme has long been a feature of the Judeo-Christian tradition, from the Book of Job to the writings of theologians like St. Thomas Aquinas.⁹ The problem of where suffering originates from and why it exists despite the presence of a benevolent God or gods is, in fact, a central concern of nearly all religious traditions, as well as being important to modern Western philosophy.¹⁰ Nor do Falun Gong adherents endorse suffering or disasters when they express the belief that these may have supernatural causes: Like other practices related to Buddhism, Falun Gong emphasizes “compassion” or *Shan* as one of its three central tenets (the other two being “truth,” *Zhen*, and “tolerance,” *Ren*), and calls on adherents to be sympathetic and compassionate towards all suffering beings.¹¹

As in other mainstream religions, believers in Falun Gong accept that suffering might have deeper fundamental causes while still being called upon to be compassionate towards those afflicted. Unlike Defendants’ characterization, passages advising against treating illness in Falun Gong’s main text, *Zhuan Falun*, only discourage using *qigong* (i.e., exercises meant to tap into the fundamental energies of the body) to cure other’s illnesses.¹² At no point do Falun Gong’s teachings suggest that society should neglect or fail to treat those who are ill. Falun Gong simply discourages practitioners from presenting themselves to others as supernatural healers. Persons suffering from illness are not singled out in any Falun Gong teaching; on the contrary, Falun Gong teaches that they should be treated as equals and with compassion.¹³

⁸ See Expert Report of Dr. Ming Xia at 2 (“[Falun Gong’s] controversial teachings[have] caused a tension between the Falun Gong and certain segments of the Chinese-American community”); *id.* at 12 (saying that Falun Gong’s “version of karma contains a number of highly controversial aspects.”).

⁹ *The Holy Bible: King James Version*, Job 2:10 (Hendrickson Publishers, 2004) (“[S]hall we receive good at the hand of God, and shall we not receive evil?”); Thomas Aquinas, *Contra Gentiles: On the Truth of the Catholic Faith*, New York: Hanover House, 1955-57. Chapter 71. (“[T]he difficulty of some people is solved; namely, whether evil actions are from God. Indeed, since it has been shown that every agent produces its action by acting through the divine power, and, consequently that God is the cause both of all effects and all actions, and since it was also shown that evil and defects occur in things ruled by divine providence as a result of the establishment of secondary causes in which there can be deficiency.”).

¹⁰ Cf. e.g. Gottfried Wilhelm Leibniz, *Theodicy: Essays on the Goodness of God, the Freedom of Man and the Origin of Evil*, (Wipf and Stock Publishers, 2000).

¹¹ Li Hongzhi, *Zhuan Falun*, (Fair Winds, 2001) (“The Buddha School emphasizes cultivating Shan of Zhen-Shan-Ren. Because the cultivation of Shan can generate great, benevolent compassion, and when compassion develops one will find all beings suffering, the Buddha School thus develops an aspiration to offer salvation to all beings ... Our Falun Dafa is based upon the highest standard of the universe, Zhen, Shan, and Ren, all of which we cultivate simultaneously.”).

¹² *Id.* (“Here, we do not teach you to treat illness. We are leading you to the Great Way, the righteous way, and we are uplifting you.”).

¹³ Li Hongzhi, “Teaching the Fa in Australia,” (1999) <http://en.falundafa.org/eng/lectures/199905021.html> (Describing how divine beings “only look at a persons’ heart” rather than their disabilities). The Teachings of Falun Gong do not single out the disabled or any group of persons for less favorable treatment. Dr. Xia appears to have missed one of the core principles of Falun Gong, that the one who suffers is the one who must eliminate his or her karma. See e.g., Li Hongzhi, *Zhuan Falun*, *supra* note 11, Lecture Four, “Transformation of Karma,” available at <http://en.falundafa.org/eng/lecture4.html#2>. The same principle is also featured in the teachings of Tibetan Buddhism, as explained by the Dalai Lama. See, e.g., interview of the Dalai Lama in Johann Hari, “The Dalai Lama: A life less ordinary,” *The Independent*, June 6, 2004, available at <http://www.independent.co.uk/news/people/profiles/the->

Many of the beliefs cited by the defendants are unconventional only when divorced from the cultural contexts and religious traditions from which they arose. For instance, the belief in the existence of supernatural powers of one sort or another feature prominently in the Buddhist and Daoist spiritual traditions. As Richard Madsen notes, while some of Falun Gong's discussion about supernatural abilities may seem incredible to those unfamiliar with Asiatic religions—these claims are “in continuity with a wide spectrum of Chinese religious practices.”¹⁴ Several of the other teachings Dr. Xia incorrectly implausibly identifies as controversial, such as a general endorsement of traditional family structures, also have clear parallels in other, mainstream religions.

It is indisputable that the three tenets, Truth, Compassion, and Tolerance (Chinese: Zhen, Shan, and Ren), are the core of Falun Gong's belief system. This is expressed countless times both in the main Falun Gong text, the book *Zhuan Falun*, and in the various other writings of the religion's founder Li Hongzhi, and in writing by practitioners in a variety of different forums.¹⁵ When the Defendants in this matter seek to characterize Falun Gong as being abnormal or outside of some ill-defined religious mainstream, they point to minor and inconsequential elements of practitioner discourse while ignoring the religion's major ethical teachings. In fact, even when taken altogether, all of the teachings of Falun Gong that Defendants have cited and characterized as “controversial” are extremely minor and incidental references that make up less than 1% of Falun Gong's teachings, and do not constitute the core of its belief system.¹⁶

In the effort to portray Falun Gong as something it is not—a belief system so far outside the mainstream that it is a fair target for violence and intimidation without the protection of American or international law—the Defendants ignore the religion's core belief, that its practitioners should strive to be truthful, compassionate, and tolerant. Instead, they take out of context minor statements about possible alien life or other such cosmological ideas.¹⁷ This is the equivalent of summarizing

[dala-lama-a-life-less-ordinary-731312.html](#). (“Yet the Dalai Lama has suggested that Tibetans are being punished for their ‘bad karma.’ Can this be true, Your Holiness? ‘Yes, of course. We are punished for feudalism. Every event is due to one's karma.’ So, are disabled children being punished for sins in a past life? ‘Oh yes, of course.’”).

¹⁴ Richard Madsen, “Understanding Falun Gong,” *Current History* 99, 245 (Sep 1, 2000).

¹⁵ See, e.g., *supra* note 11.

¹⁶ Apart from the core text of *Zhuan Falun*, the entire Falun Gong corpus of teachings is composed of nearly 100 supplementary lectures, collections of poems, and question and answer sessions, as well as four audio-visual recordings of lectures, three of which run for over 15 hours, one of which runs over 3 hours. The total text size of these teachings—excluding the audio-visual components—is over 1.3 million words. Dr. Xia incorrectly claims that “Li Hongzhi's unconventional teachings are not incidental to his work, but are pervasive and central components...” As evidence of this supposed pervasiveness and centrality, he refers to the fact that such statements have been made over a period of many years in different contexts, pointing to Exhibit C as substantiation of this claim. Regarding aliens, Exhibit C contains 13 references and around 1,000 words from the teachings of Falun Gong; regarding “separate heavens for separate races” it contains 9 references and 600 words; regarding women's liberation 5 references and 500 words; regarding homosexuality 4 references and 380 words. Based on a search of [en.falundafa.org](#) across these topics, Xia appears to have captured every, or nearly every, such reference on these various subjects by Li Hongzhi. Thus, as a fraction of the total teachings of Falun Gong, Xia has referenced a mere 0.2%—and none of these are core teachings that practitioners are called upon to incorporate into their daily lives.

¹⁷ Dr. Ming Xia's submission, for example, repeats without any modification or analysis the view, propagated by China's Party-controlled media apparatus in its attempt to demonize Falun Gong, that Li Hongzhi claims to literally “install[] a rotating wheel into the stomachs of all Falun Gong practitioners.” Expert Report of Dr. Ming Xia at 11. In fact, the “Falun” or “Law Wheel” is a well-known symbol of the Buddhist Dharma or body of teachings, and is never described as physically existing in the human realm, nor do Falun Gong adherents understand it as such.

Christianity as a religion whose core teachings deal with the multiplication of bread and fish or the story of Noah's Ark.

Falun Gong texts do occasionally make minor references to the existence of aliens or extraterrestrial beings living on other worlds. But in doing so, they are no different from various other religious traditions, which also posit an inhabited universe, as for instance Tibetan Buddhism, which holds that this planet is only one among an inhabited "three thousand worlds."¹⁸ Modern Christian theologians discuss the issue of extraterrestrial life as well, including in official settings such as Vatican-sponsored publications.¹⁹ Influential philosophers and scientists have also frequently expressed belief in the existence of extraterrestrial life.²⁰ Immanuel Kant, for example, wrote that "If it were possible to settle by any sort of experience whether there are inhabitants of at least some of the planets that we see, I might well bet everything I have on it ... it is not merely an opinion but a strong belief ... that there are also inhabitants of other worlds."²¹ Moreover, many of today's most eminent scientists, such as Stephen Hawking, have also expressed their belief in the existence of extraterrestrial life.²²

The Defendants also assert that Falun Gong adherents are somehow disqualified as a religion because their texts at times suggest that various human nationalities have their own caretaker deities and cosmic origins.²³ Yet the reality is far from the sinister or fringe set of ideas that Defendants portray it as. The traditional cosmologies of both Asia and the Western world frequently associated particular gods with particular communities, as in the Roman myth of their people's descent from Aeneas, the son of the goddess Venus, as well as Romulus and Remus, the sons of the god Mars,²⁴ or the ancient Chinese belief in a series of divine ancestors.²⁵ Even today, believers in Japan's official Shinto religion claim their unique relationship with the Sun Goddess Amaterasu,²⁶ and adherents of traditional Korean beliefs claim that their nationality was uniquely created as the descendants of a specific god.²⁷ Falun Gong texts' association of particular deities with particular nationalities is no

¹⁸ See, e.g. Dalai Lama, *The Door of Liberation: Essential Teachings of the Tibetan Buddhist Tradition*, 48 (Simon and Schuster, 2016) (Trans. Geshe Wangyal) ("A Prayer by the First Panchen Lama, Losang Chökyi Gyalsten ... I bow down to him who, seated in the meditation of love, / Filled the three thousand worlds with golden light, / Causing all beings to love each other as parents their children[.]").

¹⁹ See, e.g. the overview of Catholic views on extraterrestrial life in Douglas A. Vakoch, "Roman Catholic Views of Extraterrestrial Intelligence," *When SETI Succeeds: The Impact of High Information Contact*, 145 (2000).

²⁰ See generally George Basalla, *Civilized Life in the Universe: Scientists on Intelligent Extraterrestrials*, (Oxford University Press, 2006).

²¹ Immanuel Kant, *Critique of Pure Reason*, 687 (Cambridge University Press, 1998) (Original 1781) (Trans. Paul Guyer).

²² See Basalla, *supra* note 19 at 175; cf. Jonathan Leake, "Don't talk to aliens, warns Stephen Hawking," *The Sunday Times*, April 25, 2010.

²³ Expert Report of Dr. Ming Xia at 10. It is relevant to note that, regarding mixed-raced persons, Dr. Xia fails to mention other relevant Falun Gong teachings, such as that race is irrelevant for questions of spiritual salvation and that Falun Gong is open to all ethnicities. Further, there are numerous mixed-race marriages, as well as mixed-race individuals, among Falun Gong practitioners, which are in no way discouraged by the community or by any of the Falun Gong texts. The statements that Dr. Xia quotes out of context do not accurately reflect Falun Gong adherents' views regarding race, nor is race an issue important to Falun Gong's core teachings.

²⁴ Tim J. Cornell, "Aeneas and the Twins: the development of the Roman foundation legend," 21 *Proceedings of the Cambridge Philological Society (New Series)* 1, (1975).

²⁵ Yang Lihui and An Deming, "The World Of Chinese Mythology: An Introduction," *China's Creation and Origin Myths*, (Brill, 2011).

²⁶ Cf. Matsumae Takeshi, "Origin and Growth of the Worship of Amaterasu," 37 *Asian Folklore Studies* 1, (1978).

²⁷ Hyung Il Pai, *Constructing "Korean" Origins: A Critical Review of Archaeology, Historiography, and Racial Myth in Korean State-Formation Theories*, (Harvard Univ Asia Center, 2000).

more abnormal than the above traditional beliefs—nor, again, is it a major aspect of the religion’s core teachings, which are as stated above focused on the ethical standards of “Truth, Compassion, and Tolerance,” rather than on creation stories. Falun Gong adherents of all races and national origins are regarded equally in the community, associate together freely, frequently intermarry, and receive full support from their co-believers.²⁸

The Defendants have also asserted that Falun Gong should not be considered a religion because it is “politicized.”²⁹ However, this is a truly bizarre suggestion: Religions like Catholicism have been deeply involved in politics throughout history, from determining state policies to sponsoring political parties and even helping to lead resistance movements against oppressive regimes.³⁰ The Anglican Church remains an official part of the United Kingdom’s constitutional system,³¹ and Islamic scholars have precedence over state authorities in a number of Muslim countries.³² By comparison, Falun Gong, which has never sought to organize itself as a political group or to pursue political influence, is far removed from affairs of the state.³³ Tibetan Buddhism has for centuries actually combined religious and political authority into the figure of the Dalai Lama as the leader of the Tibetan state, yet it is clearly a religion.³⁴ By contrast, Falun Gong has never sought to organize itself as a political group, and its teachings explicitly condemn the pursuit of political power as being incompatible with the transcendent objectives of the practice. As noted by the expert analyst of Chinese politics Hu Ping, “Falun Gong deals only with purifying the individual through exercise, and does not touch on social or national concerns. It has not suggested or even intimated a model for social change.”³⁵ It would be strange to consider Falun Gong too political to be a religion simply because its adherents frequently criticize the Chinese Communist Party for its violent and repressive policies.

Nor is there any relevance to Dr. Ming Xia’s suggestion that Falun Gong should not be considered a religion because of statements, made in Chinese, in which Falun Gong’s founder Li Hongzhi denied

²⁸ It is important to note, however, that even religious denominations whose adherents *did* mostly support separation of the races, such as the Southern Presbyterian Church in the United States and the Dutch Reformed Church in South Africa, have nonetheless been recognized as religions. Falun Gong, which does not advocate separation of races, should not be denied status as a religion as the result of far less controversial teachings.

²⁹ Expert Report of Dr. Ming Xia at 18 (suggesting an “increasingly political nature of the Falun Gong” is enough reason to deny its status as a religion).

³⁰ Cf. Eric O. Hanson, *The Catholic Church in World Politics*, (Princeton University Press, 2014).

³¹ Cf. Christopher Norman Doe, *The Legal Framework of the Church of England: A Critical Study in a Comparative Context*, (Clarendon Press, 1996).

³² Cf. Joseph A. Kechichian, “The Role of the Ulama in the Politics of an Islamic State: The Case of Saudi Arabia,” 18 *International Journal of Middle East Studies* 1, (1986).

³³ Falun Gong adherents have in some cases, on their own initiative and not in any way as representatives of the religion, started independent media organizations. Yet these media activities are no different than the similar public speech of groups such as the Christian Science Monitor, numerous Catholic media entities, or the Anti-Defamation League. These media outlets might provide news and commentary about issues of interest to a particular religious community, but do not for that reason signify that the religion in question is in any way “politicized” as Dr. Xia asserts in his submission. Under Dr. Xia’s logic, Judaism and Catholicism, along with many other major world faiths, would risk losing their classification as religions—a patently ridiculous outcome.

³⁴ Ardy Verhaeghe, *The Dalai Lama: The Institution and Its History (Emerging perceptions in Buddhist studies)*, (South Asia Books, 2003).

³⁵ Hu Ping, “The Falun Gong Phenomenon”, in *Challenging China: Struggle and Hope in an Era of Change*, Sharon Hom and Stacy Mosher (ed) (New York: The New Press, 2007). Could emphasize the point that NTD etc are not parts of the religion, which is for cultivation.

its status as a “*zong jiao*,” the loose Chinese translation of the word “religion.”³⁶ Unlike “religion,” “*zong jiao*” is a term suggesting a specific *type* of religion—one with a rigid hierarchical structure and official status based on government recognition. Indeed, there are only *five* such recognized “*zong jiao*” in China.³⁷ Falun Gong, of course, is not among this limited group; but this has not the slightest bearing on its status as a religion as understood in the West and as relevant to the legal issues in this matter.

2. Characterization of Falun Gong as a “*xie jiao*” or “evil cult” is misleading and harmful.

Attempts to characterize Falun Gong as somehow essentially different from “normal” religions based on the contents of its teachings are not the product of impartial or objective analysis. Rather, they result directly from the Chinese Communist Party’s campaign to eradicate Falun Gong and to deny its adherents any legal protections as religious believers.

In particular, when the Defendants assert that Falun Gong is a “cult” or “cult-like,”³⁸ or when they use the Chinese phrase “*xie jiao*” to describe it,³⁹ they are drawing on misleading propaganda materials that were intended to justify Chinese authorities’ violent suppression of Falun Gong adherents. As noted above, aspects of Falun Gong that the Defendants describe as “cult-like” are either false characterizations, or are common features of many major world religions. The expert submission by Dr. Ming Xia also misrepresents modern Western views on “cults,” and fails to mention experts’ view that this term is confusing ambiguous, and that it should be avoided in legal proceedings.⁴⁰

Most egregiously, however, it is misleading for the Defendants to falsely claim that they are discussing whether or not Falun Gong is a “cult,” when in fact they are using a Chinese term, “*xie jiao*,” with a very different history and much more serious implications. In conflating these two terms, the Defendants use false statements and incorrect definitions to suggest that Falun Gong belongs in a specialized category of groups that are so far outside the mainstream that they deserve to be violently repressed, regardless of the irreparable harm that this would impose on adherents.

The Defendants cannot plausibly suggest that they are engaging in some kind of international debate over whether or not “use of the word cult can simply reflect reasonable disagreement with [Falun Gong’s] teachings,”⁴¹ because, again, Defendants do not in fact use the English word “cult” to describe Falun Gong. Instead, in all of the materials that form the basis of this case, the Defendants use the Chinese phrase “*xie jiao*,” which is a term stemming from Chinese political history that is

³⁶ Expert Report of Dr. Ming Xia at 17.

³⁷ See Ownby, *supra* note 4 at 8-9 (“*zongjiao* [] is a neologism introduced into Chinese via Japanese translations of Western works in the late nineteenth and early twentieth centuries ... popular religious groups, denied the label ‘religion’ ... were forced to call themselves something else”); Penny, *supra* note 4 at 21 (“This demarcation allows the authorities to suppress religious groups that do not fall under one of the five nominated religions.”)

³⁸ See, e.g. Expert Report of Dr. Ming Xia at 8 (discussing “Defendants’ use [of] the word cult, or xiejiao in Chinese” ... and “whether the Falun Gong movement may appropriately be referred to as a cult.”)

³⁹ *Id.*

⁴⁰ James T. Richardson, “Definitions of Cult: From Sociological-Technical to Popular-Negative,” 34 *Review of Religious Research* 4, (1993) (concluding that “scholars should avoid the term and it should not be allowed to be used in legal proceedings because of its confused and negatively connoted meaning in contemporary society.”)

⁴¹ *Id.*

used to designate religions that state authorities decide to label “demonic,” “heretical,” or in need of suppression.⁴² In fact, the anti Falun Gong materials disseminated by the Defendants are, in their entirety or vast majority, downloaded copies of propaganda materials created and spread by Chinese authorities to further their violent campaign to eradicate Falun Gong.⁴³ Thus, the Defendants do not simply adopt the lone term “*xie jiao*” while giving it their own meaning—they reproduce in their *entirety* official propaganda materials from China in which this term is used to incite hatred and violence.⁴⁴

The term “*xie jiao*,” which the Chinese Communist Party frequently uses to characterize Falun Gong, is a political term with a long history of use by various Chinese imperial dynasties, or state-endorsed religious authorities, to condemn popular religious teachings as being wicked, or even as being connected with sinister supernatural forces and evil spirits.⁴⁵ The phrase was closely associated with efforts by China’s imperial dynasties to eradicate particular religious practices that were considered threatening because they were outside of state control. It was resurrected in official media in the late 1990s to characterize Falun Gong, in order to better convey the Party’s intent to eliminate the religion just as imperial authorities had sought to eliminate minor religious groups.⁴⁶

At the same time, a new English translation for “*xie jiao*,” “evil cult” was used in official Chinese media to suggest to that overseas observers that Falun Gong should be considered a “cult” whose suppression would be justified. Thus, as explained in a recent comprehensive study of this Chinese term, “the revival of this ancient denunciation, with its connotations of magic and subversion, suggests that what we are seeing is not simply the local application of a transnational concept but the re-emergence of a distinctively Chinese style of religious policy ... *Xiejiao* has two audiences; one international, which it is intended to placate, and one domestic, which it is intended to scare.”⁴⁷

⁴² See Junqing Wu, “Words and Concepts in Chinese Religious Denunciation: A Study of the Genealogy of Xiejiao,” 23 *The Chinese Historical Review* 1, (2016).

⁴³ See Exhibit A, Affidavit of Can Sun (showing that all or the vast majority of the newsletters distributed by the China Anti-Cult World Alliance come from Kaiwind, the official anti-Falun Gong propaganda website created and managed by the Chinese Communist Party as part of its violent campaign to eradicate Falun Gong).

⁴⁴ Being labelled as a “*xie jiao*” signifies deprivation of legal protections and subjection to violence by Chinese authorities. The forms of violence by which Falun Gong adherents are targeted range from arbitrary arrests and detention to deaths caused by Communist Party-controlled security forces. Cf. U.S. Department of State, *supra* note 1. Such killing even takes the form of “organ harvesting,” a process in which targeted individuals in detention are rendered immobile and their corneas, kidneys, and livers are transplanted to customers seeking organ transplants. After transplants are completed, the victim is murdered. Recent studies, based on in-depth analysis of China’s medical and detention systems, estimate that 100,000 or more Falun Gong adherents have been subjected to this process. Ethan Gutmann, *The Slaughter: Mass Killings, Organ Harvesting, and China’s Secret Solution to its Dissident Problem*, (Prometheus Books, 2014). Over one hundred state-run hospitals have extensive transplant facilities implicated in this process (the Tianjin No. 2 Hospital, for example, has 500 transplant beds and easy access to a prison). Adherents of Falun Gong, and other religions targeted for suppression by Chinese authorities, are key victims of these practices. In particular, because of the high rates of disease, alcohol, and tobacco use in China, ordinary prisoners often do not have clean organs. But the primary victim groups including Falun Gong, “house” Christians, Uighurs, and Tibetans tend not to have such problems. It is puzzling that the statement submitted by Dr. Xia mentions “tensions” in the overseas Chinese community that are supposedly caused by Falun Gong adherents, but omits facts such as these ongoing, documented atrocities. Nor are these mere speculations. The Chinese authorities have in fact actually admitted that they used detained individuals as sources for organ transplantation, while vaguely promising to phase out the process, but without any meaningful monitoring process. See David Matas and David Kilgour, *Bloody Harvest: The Killing of Falun Gong for their Organs*, (Seraphim, 2009); see also Gutmann, *supra*; as well as the comprehensive and authoritative website www.endorganpillage.org.

⁴⁵ Wu, *supra* note 42.

⁴⁶ *Id.*

⁴⁷ *Id.*

Internationally recognized experts on Chinese religious history and policy generally agree with this characterization, and have associated “*xie jiao*” with a “demonological paradigm” in Chinese politics, where groups or individuals are accused of demonic associations and then targeted with mass violence.⁴⁸ The Communist Party’s use of “*xie jiao*” to characterize Falun Gong, and the Defendants’ repetition and endorsement of this characterization, thus function as endorsements of the Party’s violent suppression campaign.⁴⁹

The Defendants’ expert submission is especially misleading with regards to the suggestion that the Defendants’ use of the Chinese term “*xie jiao*” to define Falun Gong is equivalent to the use of the word “cult” in English-language discourse.⁵⁰ Among Dr. Xia’s central contentions is that the Defendants are merely engaged in a disagreement about Falun Gong’s cult status, and the reasonableness of the Defendant’s position is supported by the supposed existence of a parallel debate in academia.⁵¹ As evidence of this claim, he cites three inconsequential studies: a presentation given by a professor of speechwriting from Massey University in New Zealand; a statement by the late Margaret Singer, whose theories of cult mind control were discredited⁵² and who never in fact studied or published on Falun Gong; and a 2000 paper presented by Zixian Deng and Shimin Fang, graduate students studying in unrelated fields (Shimin Fang has elsewhere written that Christianity is barbaric and violent and that the Judeo-Christian God is a “murderous demon”).⁵³ All are marginal scholars who have not made meaningful contributions to the academic discourse on Falun Gong, nor are they experts on Asian or Chinese religion.

By contrast, the leading scholars and experts researching Falun Gong agree that the “evil cult” and “*xie jiao*” characterizations are political terms applied by the Communist Party to designate “a teaching disapproved of by the authorities,” and “religious movements which they want to eradicate,” as described by Dr. Benjamin Penny in his book *The Religion of Falun Gong*.⁵⁴ Dr. David Ownby, author of *Falun Gong and the Future of China*, suggests that “[t]he entire issue of the supposed cultic nature of Falun Gong was a red herring from the beginning, cleverly exploited by the Chinese state to blunt the appeal of Falun Gong and the effectiveness of the group’s activities outside of China.”⁵⁵

Ian Johnson, author of the recent study of Chinese religion *The Souls of China: The Return of Religion After Mao* and winner of the Pulitzer Prize for his reporting in *The Wall Street Journal* on the Chinese authorities’ suppression of Falun Gong, notes that Falun Gong does not “meet many common definitions of a cult: its members marry outside the group, have outside friends, hold normal jobs, do not live isolated from society, do not believe that the world’s end is imminent and do not give significant amounts of money to the organisation. Most importantly, suicide is not accepted, nor is

⁴⁸ See David A. Palmer, “Heretical Doctrines, Reactionary Secret Societies, Evil Cults: Labelling Heterodoxy in 20th Century China,” *Chinese Religiosity: Afflictions of Modernity and State Formation*, (2008).

⁴⁹ Wu, *supra* note 42.

⁵⁰ Expert Report of Dr. Ming Xia at 8 (discussing the use of “the word cult, or xiejiao in Chinese.”).

⁵¹ *Id.* (“as reflected by academic work regarding the Falun Gong, the controversial teachings of Li Hongzhi discussed herein are factors that have resulted in a robust debate among academics and those who study the Falun Gong as to whether the Falun Gong movement may appropriately be referred to as a cult.”).

⁵² Massimo Introvigne, “Religion as Claim: Social and Legal Controversies,” in *The Pragmatics of Defining Religion: Contexts, Concepts and Contests*, ed. Jan G. Platvoet et al. 53-55 (Bull, 1999).

⁵³ Fang Shimin (writing under his penname Fang Zhouzi), “The Murderous Demon King Jehovah” [杀人魔王耶和華], *New Threads* [新语丝] <http://www.xys.org/fang/doc/religion/god.txt>

⁵⁴ Penny, *supra* note 4 at 6.

⁵⁵ Ownby, *supra* note 4.

physical violence.”⁵⁶ However, Johnson notes, Chinese authorities sought tirelessly to portray Falun Gong as a dangerous group like the most extreme “cults” that had been suppressed in other countries after committing illegal acts. As he writes, one of the Chinese Communist Party’s “most brilliant moves in its persecution of Falun Gong was declaring the group a cult[, which] put Falun Gong on the defensive, forcing it to prove its innocence[.]”⁵⁷ In just the same manner, the Defendants seek to escape all liability for inciting violence and hatred against the Plaintiffs, both by making use of the “*xie jiao*” designation to mobilize aggression against Falun Gong within the Chinese community and by labelling it a “cult” when speaking before English-language audiences. By doing so, they seek to “intimate sinister motivations that would seem to justify crackdowns” on groups that are so labelled.⁵⁸

3. The Defendants contradict themselves regarding the Chinese Communist Party’s suppression of Falun Gong, as well as contradicting previous statements by Dr. Xia Ming.

The Defendants in this matter have claimed that, in their attacks on Falun Gong, they are simply engaging in a debate within the Chinese-American community. Yet their disseminated anti-Falun Gong materials are all, or in the vast majority, propaganda materials created by the Chinese Communist Party’s anti-Falun Gong task force the China Anti-Cult Association (CACA), usually via its flagship website, *kaiwind.com*. Like the Defendants’ repeated use of violence-implying language, the materials that they disseminate are 100% in line with and originate from the Chinese Communist Party’s campaign to eradicate Falun Gong.⁵⁹ It is inconceivable that the exact same materials that have clear connotations of politically-motivated violence when read by Chinese-speaking audiences in Mainland China would lose all such connotations when read by Chinese-speaking audiences in the United States.

The Defendants’ statements regarding Falun Gong are thus self-contradictory. On the one hand they endorse and even disseminate word-for-word the materials in which Chinese authorities incite the violent suppression of the religion’s adherents, yet on the other hand they claim to merely engage in peaceful debate with those same targeted individuals. The Defendants’ expert submission by Dr. Xia Ming is similarly inconsistent.

It is necessary to address some of the extreme inconsistencies of the Defendants’ characterizations of Falun Gong in order to better clarify the latter’s status as a “normal” religion, and the inaccurate and harmful nature of Defendants’ attempts to label it as a “*xie jiao*” or as a “cult.”

The Defendants’ retained expert, Dr. Xia Ming, has on various previous occasions expressed opinions completely contradictory to those that he and the Defendants now advance regarding Falun Gong’s status as a religion and the nature of its suppression by the Chinese Communist Party. For example, Dr. Xia has previously stated in an interview that “Falun Gong touches on freedom of belief ... [and] Falun Gong’s upholding of virtue finds a lot of resonance with the Chinese people. In particular, we can see that China is undergoing a great spiritual awakening now; they’re looking for

⁵⁶ Ian Johnson, *Wild Grass: Three Stories of Change in Modern China*, 224 (Vintage, 2007).

⁵⁷ *Id.* at 223.

⁵⁸ Richard Madsen, ‘The Upsurge of Religion in China’ in *The China Reader: Facing Power*, 195 (Oxford University Press 2016).

⁵⁹ See, e.g. Congressional-Executive Commission on China, 2012 Report, 89-90 (Government Printing Office, 2012) (describing combination of propaganda efforts and violent suppression, among other methods, in Chinese authorities’ treatment of Falun Gong adherents).

something true, kind, and beautiful, searching for a kind of spiritual haven, a transcendence of the soul. Thus we see that whether it's resistance from the churches or Buddhism, there are spiritual beliefs. Under these circumstances, more and more people will support Falun Gong, because they realize that their interests are intimately connected."⁶⁰

In another interview, Dr. Xia Ming went into greater length on his views on Falun Gong and its relationship with the Chinese Communist Party:

"I think if we look at the situation as it stands today, it's easier to see the correctness of Falun Gong's resistance, to see the preciousness of Falun Gong making a stand. Right now there are some people all around the world who still have hope and illusions about the Chinese Communist Party ... Truly there will be a day, very soon, when you'll be able to practice your exercises freely, and freely spread the Fa. This is what I hope for most from you. Your success, I believe, will lend to an end of the Party's dictatorship, it will promote freedom of belief in China, and it will help China develop in many ways, and it will play a positive role in the pluralistic development of society... Speaking for myself, I express great respect to your resistance and to your contributions toward China's democratization and the ending of the Party's tyranny. I wish you constant successes in your struggle. Your success won't just have a great value for Falun Gong practitioners, but it will be a contribution for all Chinese who've been persecuted, who pursue spiritual freedom, and who yearn for freedom of worship. On the one hand I support you, on the other pay respect to you. I will stand together with you in resistance."⁶¹

In his work, Dr. Xia also explicitly describe Falun Gong as a religion like other mainstream faiths, writing that "from the CCP's persecution of religion we can see that in China, from Falun Gong to underground house churches, as well as other religions, they're all persecuted."⁶² In his 2015 book he writes: "In China there is a revival of Christianity and other religions (for example Buddhism, Taoism, Islam, and Falun Gong, etc.)"⁶³ Later in the same book he again groups Falun Gong believers with other religious groups, including Tibetan Buddhists, Uyghur Muslims, and Christians, and later again refers to "Tibetans, Muslims, Christians, Buddhists, Falun Gong and other folk religious believers..."⁶⁴ Thus, Dr. Xia repeatedly refers to Falun Gong in the context of other faith groups and on a number of occasions explicitly identifies it as a religion.

Meanwhile, Dr. Xia's previous statements regarding the Chinese regime bely his assertion that Falun Gong's criticism of the same regime is so "controversial" that it must be challenged through the extreme forms of confrontation favored by the Defendants. In his 2015 book, for instance, he writes that "communist ideology is more evil than fascism"⁶⁵ and notes "the tragedy of Chinese politics [in

⁶⁰ Liu Hui, "Exclusive Interview: Xia Ming: More and more people realize that Falun Gong is intimately related with them" [夏明：越来越多人认识到 法轮功与他们休戚相关] NTD Television, March 26, 2014 <http://www.ntdtv.com/xtr/gb/2014/03/26/a1089261.html>

⁶¹ Rona Rui, "Professor Xia Ming: Now I Really Understand the Meaning of Falun Gong's Opposition to Persecution" [美教授夏明：现在更理解法轮功反中共迫害的意义] Dajiyuan (May 14, 2016) <http://www.epochtimes.com/gb/16/5/14/n7894059.htm>

⁶² *Id.*

⁶³ Xia Ming, "Empire of the Red Sun: The Communist Party's Final Division of Spoils," 35 (New York and Hong Kong: Minor Books, 2015).

⁶⁴ *Id.* at 230.

⁶⁵ *Id.* at 12.

which] evildoers grasp the reins of power, while the kind and righteous suffer.”⁶⁶ He also refers to the Chinese Communist Party as “a personal dictatorship, a Party-state tyranny, an Evil Red Empire[.]”⁶⁷ These remarks are little different from criticisms of the Communist Party on the part of Falun Gong and others—certainly Defendants would not agree that they, or Dr. Xia, should be called members of a cult for expressing such views.

There is simply no way to reconcile such views with Dr. Xia’s later statements, or with those of the Defendants seeking to characterize Falun Gong as a “*xie jiao*” deserving of violent suppression by the Chinese authorities and expulsion from Chinese communities in the United States. To the extent that it is possible to make sense of such discordant and self-contradictory views, this court should focus solely on those that echo the widespread consensus of U.N. and U.S. government reports, civil society experts, and scholars of Asian and Chinese religion. That consensus holds that Falun Gong is a religion, and that attempts to characterize it as a “*xie jiao*” or as a “cult” are no more than mobilization efforts supporting a campaign of violent repression.

I have not testified as an expert at trial or deposition in any other case during the past four years. My compensation is as follows: \$200/hr for my work as an expert in this matter.

By

/s/ Caylan Ford
Caylan Ford

Appendix of Sources Cited

Thomas Aquinas, *Contra Gentiles: On the Truth of the Catholic Faith*, New York: Hanover House, (1955-57)

George Basalla, *Civilized Life in the Universe: Scientists on Intelligent Extraterrestrials*, (Oxford University Press, 2006)

Congressional-Executive Commission on China, 2012 Report, (Government Printing Office, 2012)

Tim J. Cornell, “Aeneas and the Twins: the development of the Roman foundation legend,” 21 *Proceedings of the Cambridge Philological Society (New Series)* 1, (1975)

Christopher Norman Doe, *The Legal Framework of the Church of England: A Critical Study in a Comparative Context*, (Clarendon Press, 1996)

Fang Shimin (writing under his penname Fang Zhouzi), “The Murderous Demon King Jehovah” [杀人魔王耶和华], *New Threads* [新语丝] <http://www.xys.org/fang/doc/religion/god.txt>

⁶⁶ *Id.* at 33.

⁶⁷ *Id.* at 90.

Freedom House "The Battle for China's Spirit: Religious Revival, Repression, and Resistance under Xi Jinping" (February 2017)

Ethan Gutmann, *The Slaughter: Mass Killings, Organ Harvesting, and China's Secret Solution to its Dissident Problem*, (Prometheus Books, 2014)

Gananath Obeyesekere, *Imagining Karma: Ethical transformation in Amerindian, Buddhist, and Greek Rebirth*, (Univ of California Press, 2002)

Eric O. Hanson, *The Catholic Church in World Politics*, (Princeton University Press, 2014)

Johann Hari, "The Dalai Lama: A life less ordinary," *The Independent*, June 6, 2004, available at <http://www.independent.co.uk/news/people/profiles/the-dalai-lama-a-life-less-ordinary-731312.html>

The Holy Bible: King James Version, Job 2:10 (Hendrickson Publishers, 2004)

Massimo Introvigne, "Religion as Claim: Social and Legal Controversies," in Jan G. Platvoet et al. (ed.), *The Pragmatics of Defining Religion: Contexts, Concepts and Contests*, (Brill, 1999)

Ian Johnson, *Wild Grass: Three Stories of Change in Modern China*, 224 (Vintage, 2007)

Immanuel Kant, *Critique of Pure Reason*, 687 (Cambridge University Press, 1998) (Original 1781) (Trans. Paul Guyer)

Joseph A. Kechichian, "The Role of the Ulama in the Politics of an Islamic State: The Case of Saudi Arabia," 18 *International Journal of Middle East Studies* 1, (1986)

Dalai Lama, *The Door of Liberation: Essential Teachings of the Tibetan Buddhist Tradition*, 48 (Simon and Schuster, 2016) (Trans. Geshe Wangyal)

Jonathan Leake, "Don't talk to aliens, warns Stephen Hawking," *The Sunday Times*, April 25, 2010

Gottfried Wilhelm Leibniz, *Theodicy: Essays on the Goodness of God, the Freedom of Man and the Origin of Evil*, (Wipf and Stock Publishers, 2000)

Li Hongzhi, *Zhuan Falun*, (Fair Winds, 2001)

Li Hongzhi, "Teaching the Fa in Australia," (1999)
<http://en.falundafa.org/eng/lectures/19990502L.html>

Liu Hui, "Exclusive Interview. Xia Ming: More and more people realize that Falun Gong is intimately related with them" [夏明：越来越多人认识到 法轮功与他们休戚相关], NTD Television, March 26, 2014 <http://www.ntdtv.com/xtr/gb/2014/03/26/a1089261.html>

Richard Madsen, "The Upsurge of Religion in China" in *The China Reader: Rising Power*, 195 (Oxford University Press 2016)

Richard Madsen, "Understanding Falun Gong," *Current History* 99, (Sep 1, 2000)

David Matas and David Kilgour, *Bloody Harvest: The Killing of Falun Gong for their Organs*, (Seraphim, 2009)

Hyung Il Pai, *Constructing "Korean" Origins: A Critical Review of Archaeology, Historiography, and Racial Myth in Korean State-Formation Theories*, (Harvard Univ Asia Center, 2000).

Matsumae Takeshi, "Origin and Growth of the Worship of Amaterasu," 37 *Asian Folklore Studies* 1, (1978)

David A. Palmer, "Heretical Doctrines, Reactionary Secret Societies, Evil Cults: Labelling Heterodoxy in 20th Century China," *Chinese Religiosities: Afflictions of Modernity and State Formation*, (2008)

Benjamin Penny, *The Religion of Falun Gong*, (University of Chicago Press, 2012); David Ownby, *Falun Gong and the future of China*, (Oxford University Press USA, 2008)

Hu Ping, "The Falun Gong Phenomenon", in Sharon Hom and Stacy Mosher (ed.), *Challenging China: Struggle and Hope in an Era of Change*, (New York: The New Press, 2007)

James T. Richardson, "Definitions of Cult: From Sociological-Technical to Popular-Negative," 34 *Review of Religious Research* 4, (1993)

Rona Rui, "Professor Xia Ming: Now I Really Understand the Meaning of Falun Gong's Opposition to Persecution" [美教授夏明：现在更理解法轮功反中共迫害的意义], Dajiyuan (May 14, 2016) <http://www.epochtimes.com/gb/16/5/14/n7894059.htm>

U.S. Department of State, *International Religious Freedom Reports 2015: China*, (2015)

UN Human Rights Council, *Report of the Special Rapporteur on Freedom of Religion or Belief* (2010) UN Doc A/HRC/13/40/Add.1

Douglas A. Vakoch, "Roman Catholic Views of Extraterrestrial Intelligence," *When SETI Succeeds: The Impact of High-Information Contact*, 145 (2000)

Ardy Verhaegen, *The Dalai Lamas: The Institution and Its History (Emerging perceptions in Buddhist studies)*, (South Asia Books, 2003)

Junqing Wu, "Words and Concepts in Chinese Religious Denunciation: A Study of the Genealogy of Xiejiao," 23 *The Chinese Historical Review* 1, (2016)

Ming Xia, "Empire of the Red Sun: The Communist Party's Final Division of Spoils," 35 (New York and Hong Kong: Mirror Books, 2015)

Yang Lihui and An Deming. "The World Of Chinese Mythology: An Introduction," *China's Creation and Origin Myths*, (Brill, 2011)

EXHIBIT 30

EXCERPTS OF DEPOSITION OF HONGJUAN WAN

Page 1

1
2 UNITED STATES DISTRICT COURT
3 EASTERN DISTRICT OF NEW YORK
4 INDEX NO. 15 CV 1046

5 -----x
6 ZHANG Jingrong, ZHOU Yanhua, ZHANG Peng,
7 ZHANG Cuiping, WEI Min, LO Kitsuen, LI
8 Xiurong, CAO Lijun, HU Yang, GAO Jinying,
9 CUI Lina, XU Ting, and BIAN Hexiang,
10 Plaintiffs,

11 - against -

12 Chinese Anti-Cult World Alliance (CACWA),
13 Michael CHU, LI Huahong,
14 WAN Hongjuan, ZHU Zirou, and DOES
15 1-5 Inclusive,
16 Defendants.

17 -----x
18 October 27, 2016
19 10:30 p.m.

20 VIDEOTAPE DEPOSITION of WAN
21 Hongjuan, taken by the Defendants,
22 pursuant to notice, held at the offices of
23 Veritext Legal Solutions, LLP before
24 Debbie Zaromatidis, a Notary Public of the
25 State of New York.

<p style="text-align: right;">Page 82</p> <p>1 WAN</p> <p>2 Q. Okay. Do you know any of those</p> <p>3 eight people?</p> <p>4 A. If I -- if I see the face I</p> <p>5 would recognize.</p> <p>6 Q. Okay. Hand it to me. I am</p> <p>7 directing your attention to page 13 of</p> <p>8 this document.</p> <p>9 A. I don't know how to read.</p> <p>10 Q. No, I understand. That is page</p> <p>11 13, correct?</p> <p>12 A. Yes.</p> <p>13 Q. And for the record I will</p> <p>14 indicate that page 13 is the counterclaims</p> <p>15 that were asserted in the first answer and</p> <p>16 counterclaim filed by your lawyer on April</p> <p>17 11, 2016. Paragraph 2 of that</p> <p>18 counterclaim says as follows: "In the</p> <p>19 complaint plaintiffs admit that there were</p> <p>20 encounters with defendant."</p> <p>21 MR. MOORE: Go ahead and read</p> <p>22 it. I mean do what I have done already.</p> <p>23 THE INTERPRETER: Yes.</p> <p>24 Q. And then it says in paragraph 2</p> <p>25 of the counterclaim, "These encounters</p>	<p style="text-align: right;">Page 84</p> <p>1 WAN</p> <p>2 for her -- read for her paragraph 101.</p> <p>3 When you are done, let me know.</p> <p>4 THE INTERPRETER: 101.</p> <p>5 (Pause.)</p> <p>6 THE INTERPRETER: Okay.</p> <p>7 MR. MOORE: Thank you for</p> <p>8 reading that.</p> <p>9 Q. Based on what the interpreter</p> <p>10 just read to you, do you recall any of</p> <p>11 those incidents on that day?</p> <p>12 A. Yes.</p> <p>13 Q. What do you recall about it?</p> <p>14 A. On Main Street there was an</p> <p>15 incident.</p> <p>16 MR. MOORE: Do you need to</p> <p>17 raise your hand.</p> <p>18 A. So at that time I was walking.</p> <p>19 I was distributing the fliers, and then</p> <p>20 they came to me with camera, and they</p> <p>21 declared that Li Hongzhi is a deity. I</p> <p>22 don't believe, and then they were three</p> <p>23 people. They push me, and eventually the</p> <p>24 table was pushed off by them, not by me.</p> <p>25 Q. A table of what?</p>
<p style="text-align: right;">Page 83</p> <p>1 WAN</p> <p>2 took place on the following dates," and</p> <p>3 there is a series of dates listed there?</p> <p>4 A. 2014.</p> <p>5 Q. Right. So I am -- I am still</p> <p>6 trying to get to the question. The first</p> <p>7 date listed there is January 16, 2015.</p> <p>8 A. January 16.</p> <p>9 Q. 2015.</p> <p>10 A. Can you tell me what you allege</p> <p>11 happened on January 16, 2015?</p> <p>12 MR. WONG: Objection.</p> <p>13 A. Yes. What is the day again?</p> <p>14 Q. January 16, 2015.</p> <p>15 A. Let me get my reading glasses.</p> <p>16 It is under the bridge?</p> <p>17 Q. I am asking you do you remember</p> <p>18 what happened on January 16, 2015 at</p> <p>19 your -- that you're making a counterclaim</p> <p>20 against the plaintiffs for?</p> <p>21 A. I don't remember.</p> <p>22 Q. Okay. Let me draw your</p> <p>23 attention to paragraph 1000 -- I mean 101</p> <p>24 of the complaint.</p> <p>25 MR. MOORE: Can you just read</p>	<p style="text-align: right;">Page 85</p> <p>1 WAN</p> <p>2 A. You know, their table basically</p> <p>3 is not a type of steady table, and then,</p> <p>4 you know, because there were three people</p> <p>5 they push me. So once they push me, then</p> <p>6 I went against the table, and the table</p> <p>7 overturned.</p> <p>8 Q. Did you strike anybody on that</p> <p>9 day?</p> <p>10 A. No. How I strike them?</p> <p>11 Q. No, the question is did you.</p> <p>12 MR. WONG: Objection.</p> <p>13 A. Well, first they struck me, and</p> <p>14 then I returned.</p> <p>15 Q. I understand your testimony.</p> <p>16 The question is: Did you strike anybody</p> <p>17 at any time?</p> <p>18 MR. WONG: Objection.</p> <p>19 A. Well, I was being hit, and then</p> <p>20 I -- I basically fight back.</p> <p>21 Q. You fought back, right?</p> <p>22 A. Yes.</p> <p>23 Q. Okay. Do you ever recall at any</p> <p>24 time slapping the camera out of anybody's</p> <p>25 hands?</p>

22 (Pages 82 - 85)

<p style="text-align: right;">Page 86</p> <p>1 WAN</p> <p>2 A. Yes.</p> <p>3 Q. Okay.</p> <p>4 A. Because they took too many</p> <p>5 pictures of me. Every day when I was</p> <p>6 there they would take -- they would take</p> <p>7 pictures of me. They came so close to me</p> <p>8 and because in America -- once after they</p> <p>9 got my photos maybe they would ask someone</p> <p>10 to do some sort of harm on me. How would</p> <p>11 I know?</p> <p>12 So they claimed that it is legal</p> <p>13 for -- it is illegal -- it is legal in</p> <p>14 U.S. to take pictures of somebody else,</p> <p>15 but then I said that, you know, if you</p> <p>16 took my picture and I eventually died, who</p> <p>17 would be responsible for that.</p> <p>18 Q. When you say they, who are you</p> <p>19 referring to?</p> <p>20 A. Falun Gong practitioner.</p> <p>21 Q. Anybody by name that you know?</p> <p>22 A. I don't know. I recognize</p> <p>23 their face. So it happened a time that</p> <p>24 three people came over. One is elderly,</p> <p>25 so two people grabbed my hair and one</p>	<p style="text-align: right;">Page 88</p> <p>1 WAN</p> <p>2 out of somebody's hands without first</p> <p>3 being hit by them? Did you ever do that?</p> <p>4 A. No, that person hit me. That</p> <p>5 person hit me.</p> <p>6 Q. Okay. So you don't recall any</p> <p>7 incident where somebody was walking up to</p> <p>8 you with a camera and before they -- hold</p> <p>9 on -- before they did anything to you you</p> <p>10 slapped the camera out of their hand? You</p> <p>11 don't recall that ever happening, correct?</p> <p>12 MR. WONG: Objection.</p> <p>13 A. No.</p> <p>14 Q. Okay. And --</p> <p>15 A. That person hit me first, and</p> <p>16 that's why I slapped.</p> <p>17 Q. Okay. All right. Fair enough.</p> <p>18 Do you know the name of that</p> <p>19 person?</p> <p>20 A. I know that person spoke</p> <p>21 Shanghaiese. I don't know the name of</p> <p>22 that person.</p> <p>23 Q. Okay. So you -- you are aware,</p> <p>24 are you not, that in this case that the</p> <p>25 plaintiffs have made specific allegations</p>
<p style="text-align: right;">Page 87</p> <p>1 WAN</p> <p>2 pushed me. I eventually was pushed on</p> <p>3 the ground.</p> <p>4 Q. But you never reported that to</p> <p>5 the police, correct?</p> <p>6 MR. WONG: Objection.</p> <p>7 A. No.</p> <p>8 Q. Because that was a yes or no.</p> <p>9 That was a yes or no answer.</p> <p>10 MR. WONG: Again, she</p> <p>11 is -- translate what she said.</p> <p>12 A. So then another time they</p> <p>13 grabbed my chain, the necklace worth over</p> <p>14 300, and eventually it was gone.</p> <p>15 Q. And did you report that to the</p> <p>16 police?</p> <p>17 MR. WONG: Objection.</p> <p>18 A. No.</p> <p>19 Q. Okay.</p> <p>20 A. Well, in the bible it says that,</p> <p>21 you know, God said that, you know, when</p> <p>22 someone slap your face in the left, you</p> <p>23 should let him slap face in the right.</p> <p>24 Q. Okay. The question was: Did</p> <p>25 you ever slap somebody -- slap the camera</p>	<p style="text-align: right;">Page 89</p> <p>1 WAN</p> <p>2 on several dates that you threatened them;</p> <p>3 you struck them; you pushed them? You are</p> <p>4 aware of that, are you not? Just if you</p> <p>5 are aware of it. Yes or no. Are you</p> <p>6 aware that those are the allegations?</p> <p>7 A. Well, you look at me. Am I look</p> <p>8 like a person like that? No.</p> <p>9 Q. I am not sure what the no means.</p> <p>10 Is it no whether to the person who looks</p> <p>11 like that or no, you're not aware of those</p> <p>12 allegations.</p> <p>13 So if I could get some</p> <p>14 clarification. Are you aware whether</p> <p>15 anybody has made those allegations against</p> <p>16 you that you struck them, that you pushed</p> <p>17 them, that you threatened them?</p> <p>18 A. Yes, only when you people told</p> <p>19 me.</p> <p>20 Q. Okay. So you never did</p> <p>21 anything like that, correct?</p> <p>22 MR. WONG: Objection.</p> <p>23 A. Correct.</p> <p>24 Q. Correct. Okay.</p> <p>25 Do you need to take a break? Do</p>

23 (Pages 86 - 89)

<p style="text-align: right;">Page 102</p> <p>1 WAN</p> <p>2 Q. That wasn't really the question,</p> <p>3 but that's fine. We will move on.</p> <p>4 I want to show you also -- well,</p> <p>5 first of all, that document there, No. 5.</p> <p>6 Hold on to it. It states that on -- "On</p> <p>7 or about January 3, 2015 at 12 p.m. an</p> <p>8 individual named Cuiping Zhang states that</p> <p>9 you slapped her digital camera out of her</p> <p>10 hand causing it to fall to the ground and</p> <p>11 become inoperable."</p> <p>12 Do you recall doing that?</p> <p>13 MR. WONG: Objection. For the</p> <p>14 record, I am objecting to this line of</p> <p>15 questioning. This is a complaint,</p> <p>16 criminal complaint. There has been no</p> <p>17 conviction of this sort.</p> <p>18 I just preserve that objection</p> <p>19 for now.</p> <p>20 A. Okay. So once that person saw</p> <p>21 me on Main Street he came over -- that</p> <p>22 person came over to bother me because at</p> <p>23 that time I was trying to help Zhu Li</p> <p>24 Chuang, Michael Chu to give out the flyer.</p> <p>25 So for that person, right, no matter where</p>	<p style="text-align: right;">Page 104</p> <p>1 WAN</p> <p>2 hands, right?</p> <p>3 A. Yes, broken.</p> <p>4 Q. All right.</p> <p>5 A. I was very angry at that time.</p> <p>6 Q. Right. Okay. Let me hand you</p> <p>7 what has been marked as Wan Exhibit No. 6.</p> <p>8 (Document handed to witness.)</p> <p>9 MR. MOORE: Just hand it to me</p> <p>10 again, please. I just want to get the</p> <p>11 date.</p> <p>12 Q. Have you ever seen this document</p> <p>13 before?</p> <p>14 A. I don't remember.</p> <p>15 Q. Do you recall that on or about</p> <p>16 January 14, 2015 you were charged with</p> <p>17 assault in the third degree and harassment</p> <p>18 in the second degree?</p> <p>19 MR. WONG: Again, I am going to</p> <p>20 object to this.</p> <p>21 A. Well, how come it did not</p> <p>22 mention about that person hit me, that</p> <p>23 person took picture of me. Is this U.S.</p> <p>24 policy to do that?</p> <p>25 Q. The question was: Do you</p>
<p style="text-align: right;">Page 103</p> <p>1 WAN</p> <p>2 I went that person follow me, and he kept</p> <p>3 saying that Falun Gong is a very strong,</p> <p>4 very big organization, and so when he</p> <p>5 brought the camera he really held the</p> <p>6 camera very, very close to my eyes, and</p> <p>7 then he said that in U.S. it is legal to</p> <p>8 take pictures of people.</p> <p>9 Q. And at that point when -- you</p> <p>10 gestured as if the person was putting the</p> <p>11 camera right up close to you, right?</p> <p>12 A. Yes, very, very close. I am</p> <p>13 afraid that, you know, might him me.</p> <p>14 Q. Right. And at that point you</p> <p>15 slapped the camera out of the person's</p> <p>16 hand, right?</p> <p>17 MR. FINI: Objection.</p> <p>18 A. Yes, I told that person well I</p> <p>19 work here with no money. I work for</p> <p>20 free, and then my job is just to deliver</p> <p>21 good news. Why you have to take my</p> <p>22 pictures, and that person was, you know,</p> <p>23 keep taking pictures of me, so I slapped</p> <p>24 the camera.</p> <p>25 Q. And it fell out of the person's</p>	<p style="text-align: right;">Page 105</p> <p>1 WAN</p> <p>2 recall -- it says here you were charged</p> <p>3 with assault in the third degree and</p> <p>4 harassment in the second degree. Do you</p> <p>5 recall that? Do you have an answer?</p> <p>6 A. Yes.</p> <p>7 Q. Okay. And the</p> <p>8 allegation -- you recall that the</p> <p>9 allegation was that you started yelling at</p> <p>10 this individual named Ying Chen and then</p> <p>11 struck that individual in the face with</p> <p>12 your hand causing a laceration to her</p> <p>13 face. Did you do that?</p> <p>14 MR. WONG: Objection.</p> <p>15 A. She -- I mean that person was</p> <p>16 the one that -- who grabbed my necklace</p> <p>17 that was worth \$600.</p> <p>18 Q. Did you strike her in the face</p> <p>19 --</p> <p>20 MR. WONG: Objection.</p> <p>21 Q. -- causing a laceration to her</p> <p>22 face?</p> <p>23 MR. WONG: Objection.</p> <p>24 MR. MOORE: Let me finish the</p> <p>25 question before you object. All right.</p>

27 (Pages 102 - 105)

EXHIBIT 31

EXCERPTS OF DEPOSITION OF ZIROU ZHU

Page 1

1
2 UNITED STATES DISTRICT COURT
3 EASTERN DISTRICT OF NEW YORK

4 - - - - -x
5 ZHANG Jingrong, ZHOU Yanhua,
6 ZHANG Peng, ZHANG Cuiping,
7 WEI Min, LO Kitsuen, LI Xiurong,
8 CAO Lijun, HU Yang, GAO Jinying,
9 CUI Lina, XU Ting, and
10 BIAN Hexiang,,
11

12 Plaintiff,

13 -against-

14 Chinese Anti-Cult World Alliance
15 (CACWA), Michael CHU, LI Huahong, WAN
16 Hongjuan, ZHU Zirou, and DOES 1-5,
17 Inclusive,
18

19 Defendants,

20 Index No.: 15 CV 1046
21 - - - - -x
22

23 135-20 39th Avenue
24 Flushing, New York
25 October 18, 2016
12:11 p.m.

18 VIDEOTAPE DEPOSITION of Zhu Zirou, a
19 Defendant in the above-entitled action,
20 held at the above time and place, taken
21 before Tina Rivera, a Notary Public of
22 the State of New York.
23

24 * * *
25

<p style="text-align: right;">Page 134</p> <p>1 Z. ZIROU</p> <p>2 So when you say that Ms. Marsh asked me</p> <p>3 for something, I don't really hear.</p> <p>4 Q. So could you hear clearly what</p> <p>5 Li Huahong was saying?</p> <p>6 A. No. About what she said, I did</p> <p>7 not hear clearly, because there was at</p> <p>8 least about a block distance.</p> <p>9 Q. Okay. In the September 2014</p> <p>10 incident -- I'm now talking about the</p> <p>11 September 2014 incident with plaintiff Xu</p> <p>12 Tin. Can you describe what happened in</p> <p>13 the September 2014 incident?</p> <p>14 MR. MOSKOVITZ: Objection.</p> <p>15 MS. MARSH: Objection.</p> <p>16 A. So at that time -- well, I</p> <p>17 noticed that her -- I try to walk more</p> <p>18 close to the wall of the library so that I</p> <p>19 could keep a distance from her. This</p> <p>20 middle-age woman try to give me some sort</p> <p>21 of material. So -- okay. So I did not</p> <p>22 want the material, and she try to give the</p> <p>23 material to me. So I did not say anything</p> <p>24 nice to her. And she tried to put the</p> <p>25 flyer in front of my face. And then --</p>	<p style="text-align: right;">Page 136</p> <p>1 Z. ZIROU</p> <p>2 EXAMINATION BY</p> <p>3 MS. MARSH:</p> <p>4 Q. You testified in answer to my</p> <p>5 question that -- that the lady with the</p> <p>6 yellow hair didn't say anything to you,</p> <p>7 and you didn't say anything to her,</p> <p>8 correct?</p> <p>9 MR. FINI: Objection.</p> <p>10 A. No. Sometime that she would say</p> <p>11 something about me to other people and</p> <p>12 then I would try to -- definitely not good</p> <p>13 sentences, but --</p> <p>14 Q. I'm talking about --</p> <p>15 MR. FINI: Don't -- you can't</p> <p>16 cut off the interpretation. You can</p> <p>17 follow up. That's fine, but let him</p> <p>18 finish.</p> <p>19 THE WITNESS: But I try not to</p> <p>20 get into conversation with her.</p> <p>21 Q. I'm talking about the incident</p> <p>22 itself. We were talking about the</p> <p>23 incident that happened in July of 2011,</p> <p>24 okay?</p> <p>25 A. You mean the shopping cart</p>
<p style="text-align: right;">Page 135</p> <p>1 Z. ZIROU</p> <p>2 and then I stopped her, and then she try</p> <p>3 the second attempt to put the flyer onto</p> <p>4 my wheelchair.</p> <p>5 And then she start to say</p> <p>6 something about karma, something --</p> <p>7 something that tried to transform my</p> <p>8 thinking. She said even something bad,</p> <p>9 like, you have to go to die. And then she</p> <p>10 try to say something really bad, for</p> <p>11 example, about I -- I should go to die,</p> <p>12 something like that.</p> <p>13 And when I was young, I really</p> <p>14 hate to hear this type of saying. And now</p> <p>15 because I'm getting old, I really did not</p> <p>16 care about what she said, but this time</p> <p>17 was worse, really hurting my heart. And</p> <p>18 then for them, it's very casual for them</p> <p>19 to verbally abuse people and to say</p> <p>20 something bad.</p> <p>21 MR. FINI: Unless -- unless</p> <p>22 Ms. Marsh has any further questions, I</p> <p>23 don't have any further questions.</p> <p>24 MS. MARSH: Yeah, I do. Yeah, I</p> <p>25 do.</p>	<p style="text-align: right;">Page 137</p> <p>1 Z. ZIROU</p> <p>2 incident, right?</p> <p>3 Q. Yes.</p> <p>4 A. Yes.</p> <p>5 Q. And you testified in answer to</p> <p>6 my questions that you didn't say anything</p> <p>7 to the two ladies, and the two ladies did</p> <p>8 not say anything to you, correct?</p> <p>9 A. Oh, wait. Now I have thought</p> <p>10 about that. You know, the person who have</p> <p>11 yellow hair, I think she's lightly scolded</p> <p>12 me.</p> <p>13 Q. So when did you remember this?</p> <p>14 MR. FINI: Objection.</p> <p>15 A. Just now. Just now. While I</p> <p>16 just make an error for the time of the</p> <p>17 incident, right? The day of the incident,</p> <p>18 right? But now when I think about that, I</p> <p>19 just remember.</p> <p>20 Q. So you're changing what your</p> <p>21 testimony is; is that correct?</p> <p>22 MR. FINI: Objection.</p> <p>23 A. No. I just make little</p> <p>24 correction, little correction, because I</p> <p>25 happen very tired. And then I have been</p>

35 (Pages 134 - 137)

<p style="text-align: right;">Page 138</p> <p>1 Z. ZIROU</p> <p>2 asked so many questions, so now I only</p> <p>3 make a little correction. You can think</p> <p>4 about me, that I suffer diabetes for over</p> <p>5 ten year. But up to this time, I did not</p> <p>6 even have my lunch yet.</p> <p>7 Q. Okay. You testified after you</p> <p>8 had your lunch that the lady with the</p> <p>9 yellow hair did not say anything to you,</p> <p>10 and you did not say anything to her,</p> <p>11 correct?</p> <p>12 MR. FINI: Objection.</p> <p>13 A. But I would like a correction.</p> <p>14 I think she talked to herself. So I think</p> <p>15 on her way leaving the scene, right, she</p> <p>16 had slightly scolded me.</p> <p>17 Q. What did she say?</p> <p>18 MR. FINI: Objection.</p> <p>19 A. Well, her -- she was saying</p> <p>20 it -- she said it in a low voice, but</p> <p>21 basically she was saying something about,</p> <p>22 you deserve it. That's your karma.</p> <p>23 Something like that. Always said --</p> <p>24 Q. The lady with the yellow hair?</p> <p>25 MR. FINI: Objection.</p>	<p style="text-align: right;">Page 140</p> <p>1 Z. ZIROU</p> <p>2 Q. I understand that, but I'm just</p> <p>3 trying to follow up, because you said in</p> <p>4 your testimony to me, that all that</p> <p>5 happened is that Xu Tin put a flyer in</p> <p>6 your wheelchair. And then in response to</p> <p>7 your lawyer, you said that Xu Tin said all</p> <p>8 these things about your being disabled.</p> <p>9 Now, which is it? And I'm reminding you</p> <p>10 that you are under oath.</p> <p>11 MR. FINI: Objection.</p> <p>12 A. Well, because now I'm old, I</p> <p>13 really didn't care too much. But, you</p> <p>14 know, because they noticed me with a</p> <p>15 wheelchair, right? So whenever they saw</p> <p>16 me, right, they would do something not</p> <p>17 nice.</p> <p>18 Q. Yes --</p> <p>19 A. They was -- always say they</p> <p>20 considered themselves always right.</p> <p>21 Q. Okay. But I'm asking you about</p> <p>22 the incident with Xu Tin, which occurred</p> <p>23 first you said in September 2016, and now</p> <p>24 you're saying 2014. I'm asking you about</p> <p>25 that incident.</p>
<p style="text-align: right;">Page 139</p> <p>1 Z. ZIROU</p> <p>2 A. Yeah. No. And then the other</p> <p>3 person did not say anything, the person</p> <p>4 older than her, and that one look more</p> <p>5 decent. Sometime you cannot tell a person</p> <p>6 by looking at the face.</p> <p>7 Q. Okay. And let's go back to Xu</p> <p>8 Tin. You testified in answer to my</p> <p>9 question, in fact, she -- that she put --</p> <p>10 she tried to give you a flyer, and she</p> <p>11 dropped it in your wheelchair, is that</p> <p>12 correct?</p> <p>13 A. Yes.</p> <p>14 MR. FINI: Objection.</p> <p>15 THE WITNESS: At that time I</p> <p>16 didn't notice it, but when I get home,</p> <p>17 I noticed that flyer was inside -- was</p> <p>18 on my wheelchair.</p> <p>19 Q. Okay. And that -- you testified</p> <p>20 when I asked you if anything else</p> <p>21 happened, you said no; is that correct?</p> <p>22 MR. FINI: Objection.</p> <p>23 A. Well, basically, now I could see</p> <p>24 it's almost 4:30. I really want to go</p> <p>25 home now.</p>	<p style="text-align: right;">Page 141</p> <p>1 Z. ZIROU</p> <p>2 A. Okay. So I mentioned to you</p> <p>3 already, I try to walk closer to wall of</p> <p>4 the library and avoid her, you know, to</p> <p>5 keep a distance. However, she tried to</p> <p>6 give a flyer to me, and then I refused.</p> <p>7 And then I said, "Why you have to give it</p> <p>8 to me?" And then I may be a little bit</p> <p>9 straight at that time. I'm a little bit</p> <p>10 straight to her at that time. Then she</p> <p>11 curse at me, and then afterwards, I went</p> <p>12 home and noticed that there was a flyer on</p> <p>13 my wheelchair.</p> <p>14 Q. And why in answer to my</p> <p>15 questions did you not tell me that she</p> <p>16 cursed at you?</p> <p>17 MR. FINI: Objection.</p> <p>18 A. I -- well, she did not -- she</p> <p>19 did not say much, but she did say</p> <p>20 something, especially because I refused to</p> <p>21 take their material. She must have said</p> <p>22 something.</p> <p>23 Q. She must have said something, or</p> <p>24 she did say something?</p> <p>25 MR. FINI: Objection.</p>

36 (Pages 138 - 141)

EXHIBIT 32

EXCERPTS OF DEPOSITION OF HUAHONG LI

Page 1

1
2 UNITED STATES DISTRICT COURT
3 EASTERN DISTRICT OF NEW YORK
4 15 CV 1046 (SLT) (VMS)
5 ----- x
6 ZHANG Jingrong, ZHOU Yanhua, ZHANG Peng,
7 ZHANG Cuiping, WEI Min, LO Kitsuen, CAO Lijun,
8 HU Yang, GUO Xiaofang, GAO Jinying, CUI Lina,
9 XU Ting, BIAN Hexiang,
10
11 Plaintiffs,
12
13 - against -
14
15 Chinese Anti-Cult World Alliance (CACWA),
16 Michael CHU, LI Huahong, WAN Hongjuan,
17 ZHU Zirou, and DOES 1-5 Inclusive,
18
19 Defendants.
20 ----- x
21
22 July 28, 2016
23 10:20 a.m.
24 99 Park Avenue
25 New York, New York

VIDEOTAPED DEPOSITION of HUAHONG LI, s/h/a LI
HUAHONG, one of the Defendants herein, held at the
above time and place, taken before Brittany Saline,
a Professional Shorthand Reporter and Notary Public
of the State of New York, pursuant to the Federal
Rules of Civil Procedure, Notice and stipulations
between Counsel.

* * * *

<p style="text-align: right;">Page 126</p> <p>1 Huahong Li</p> <p>2 BY MR. MOSKOVITZ:</p> <p>3 Q If you could, Ms. Li, I am going</p> <p>4 to see if I can just ask a couple of more</p> <p>5 questions and then we will stop for the</p> <p>6 day, okay?</p> <p>7 A I will try my best.</p> <p>8 Q Okay. Do you understand that in</p> <p>9 this case you have made claims that the</p> <p>10 plaintiffs, at various times, have</p> <p>11 assaulted you?</p> <p>12 A Yes.</p> <p>13 Q Can you tell us if you recall any</p> <p>14 of the dates which those assaults took</p> <p>15 place?</p> <p>16 A Unable to remember.</p> <p>17 Q And can you tell us if you know</p> <p>18 the identity of any of the individuals that</p> <p>19 you have claimed assaulted you?</p> <p>20 A The only name I know is Chang</p> <p>21 Chan He.</p> <p>22 Q And can you describe any of the</p> <p>23 people that you claim assaulted you?</p> <p>24 A Yes. One of them was very</p> <p>25 strong, very tall, who wears a jacket who</p>	<p style="text-align: right;">Page 128</p> <p>1 Huahong Li</p> <p>2 people who you have claimed in this case</p> <p>3 assaulted you?</p> <p>4 A And also there is another Falun</p> <p>5 Gong member who used a car to transport</p> <p>6 some rocks and eggs and place those on my</p> <p>7 table and claimed that -- and claimed</p> <p>8 that -- and said that he would use those</p> <p>9 rocks to stone me to death.</p> <p>10 Q Can you describe this person?</p> <p>11 A Female, around 45, approximately.</p> <p>12 Q Was she tall or short?</p> <p>13 A Medium height.</p> <p>14 Q Was her hair long or short?</p> <p>15 A I don't remember that clearly.</p> <p>16 Q Can you describe any of the other</p> <p>17 people who you have claimed in this case</p> <p>18 assaulted you?</p> <p>19 A Actually, I am not able to match</p> <p>20 the complainant in the case, what they look</p> <p>21 like or their names.</p> <p>22 Q Do you know any of the plaintiffs</p> <p>23 in this case?</p> <p>24 A Yes, Bian Hexiang.</p> <p>25 Q How did you recall Bian Hexiang?</p>
<p style="text-align: right;">Page 127</p> <p>1 Huahong Li</p> <p>2 came to my table and he kicked my table</p> <p>3 down. And before he left, he use his hand</p> <p>4 as a gun. He use his hand to make a sign</p> <p>5 that looked like a gun and said, "shoot</p> <p>6 you."</p> <p>7 Q Do you know --</p> <p>8 A Meaning kill -- to kill you.</p> <p>9 Q Do you know how old,</p> <p>10 approximately, this man was?</p> <p>11 A Forties.</p> <p>12 Q And do you know the race of the</p> <p>13 man?</p> <p>14 A He possibly spoke Chinese, should</p> <p>15 be.</p> <p>16 Q Did he touch you in any way?</p> <p>17 A He use his foot to kick my table</p> <p>18 down and then proceeded to use his hand and</p> <p>19 make a sign.</p> <p>20 Q Can you describe any of the other</p> <p>21 people who you have claimed assaulted you</p> <p>22 in this case?</p> <p>23 A Chang Chan He, Chang Chan He, in</p> <p>24 his -- in his 50s.</p> <p>25 Q Can you describe any of the other</p>	<p style="text-align: right;">Page 129</p> <p>1 Huahong Li</p> <p>2 A Because that day he assaulted</p> <p>3 handicap person and was arrested by the</p> <p>4 police that day.</p> <p>5 Q And do you recall what day that</p> <p>6 was?</p> <p>7 A No, I don't recall.</p> <p>8 Q Did he assault you?</p> <p>9 A No.</p> <p>10 Q Have you ever assaulted a Falun</p> <p>11 Gong practitioner?</p> <p>12 MR. FINI: Objection.</p> <p>13 A No, I did not. I am</p> <p>14 anti-violence.</p> <p>15 Q Have you ever seen Michael Chu</p> <p>16 assault someone?</p> <p>17 A No, I have not.</p> <p>18 Q And have you ever seen Hongjuan</p> <p>19 Wan, I'm sorry if I am pronouncing it,</p> <p>20 assault someone?</p> <p>21 THE INTERPRETER: H-O-N-G J-U-A-N</p> <p>22 W-A-N, okay.</p> <p>23 A I don't remember clearly.</p> <p>24 Q Do you mean that you don't recall</p> <p>25 when you saw her assault someone or you</p>

33 (Pages 126 - 129)

1
2 UNITED STATES DISTRICT COURT
3 EASTERN DISTRICT OF NEW YORK
4 INDEX NO. 15 CV 1046

5 -----x
6 ZHANG Jingrong, ZHOU Yanhua, ZHANG Peng,
7 ZHANG Cuiping, WEI Min, LO Kitsuen, LI
8 Xiurong, CAO Lijun, HU Yang, GAO Jinying,
9 CUI Lina, XU Ting, and BIAN Hexiang,
10 Plaintiffs,

11 - against -

12 Chinese Anti-Cult World Alliance (CACWA),
13 Michael CHU, LI Huahong,
14 WAN Hongjuan, ZHU Zirou, and DOES
15 1-5 Inclusive,
16 Defendants.

17 -----x

18 October 14, 2016

19 11:20 a.m.

20 VIDEOTAPE DEPOSITION of HUAHONG
21 LI, taken by the Plaintiffs, pursuant to
22 notice, held at the offices of Beldock
23 Levine Hoffman & Goodman, LLP before
24 Debbie Zaromatidis, a Notary Public of the
25 State of New York.

<p style="text-align: right;">Page 197</p> <p>1 LI</p> <p>2 time and asked some questions and asked me</p> <p>3 and Zhu Zirou for proof of dismissal from</p> <p>4 criminal court and then adjourned it, and</p> <p>5 then when we returned I was told to go</p> <p>6 home. It's dismissed.</p> <p>7 Q. So you went to court twice?</p> <p>8 A. It should be yes. I don't</p> <p>9 remember.</p> <p>10 Q. Do you know where that court</p> <p>11 was?</p> <p>12 A. Very close. Right next to the</p> <p>13 court that I went for Chun Chen Hua.</p> <p>14 MR. MOSKOVITZ: Sorry.</p> <p>15 THE INTERPRETER: No, I was just</p> <p>16 confirming the name.</p> <p>17 MR. MOSKOVITZ: Of the court?</p> <p>18 THE INTERPRETER: Of the</p> <p>19 person.</p> <p>20 Q. So it was very close to the</p> <p>21 court that you went to in the case with</p> <p>22 Chun Chen Hua. Okay. I understand.</p> <p>23 Do you know what borough that</p> <p>24 was in?</p> <p>25 A. It should be Queens.</p>	<p style="text-align: right;">Page 199</p> <p>1 LI</p> <p>2 Q. Have you seen any photographs of</p> <p>3 any of the plaintiffs?</p> <p>4 A. No.</p> <p>5 Q. Do you know what any of the</p> <p>6 plaintiffs look like?</p> <p>7 MR. FINI: Objection.</p> <p>8 A. That day with the attorney</p> <p>9 possibly I saw one of the plaintiffs.</p> <p>10 Q. What day are you talking about?</p> <p>11 A. It was Falun Gong, my attorney,</p> <p>12 the female attorney, and that person that</p> <p>13 day.</p> <p>14 Q. What day are you talking about?</p> <p>15 A. I don't remember exactly when.</p> <p>16 Q. Okay. Can you describe what</p> <p>17 any of the plaintiffs look like?</p> <p>18 A. 30s, wear glasses, medium</p> <p>19 height, not fat, not skinny.</p> <p>20 Q. Who are you describing?</p> <p>21 A. One of the plaintiffs.</p> <p>22 Q. Man or a woman?</p> <p>23 A. Man.</p> <p>24 Q. When did you see this man?</p> <p>25 A. During one of the conversations.</p>
<p style="text-align: right;">Page 198</p> <p>1 LI</p> <p>2 Q. Ms. Li, you understand that you</p> <p>3 brought counterclaims in this case?</p> <p>4 A. Yes.</p> <p>5 Q. What are they?</p> <p>6 A. It involved these plaintiffs.</p> <p>7 Now that I know who they are, they are the</p> <p>8 person who harassed me.</p> <p>9 Q. How do you know who they are</p> <p>10 now?</p> <p>11 A. Because all these years they</p> <p>12 continuously harassed me, attack me</p> <p>13 except I didn't know who these</p> <p>14 persons -- who these people were.</p> <p>15 Q. But you know who they are now?</p> <p>16 A. Since now they brought suits</p> <p>17 against me, now I know. Oh, they also</p> <p>18 harassed me.</p> <p>19 Q. Have you attended any of the</p> <p>20 depositions of any of the plaintiffs?</p> <p>21 A. No.</p> <p>22 Q. Have you watched any of the</p> <p>23 videos of any depositions of the</p> <p>24 plaintiffs?</p> <p>25 A. I did not.</p>	<p style="text-align: right;">Page 200</p> <p>1 LI</p> <p>2 Q. Was that the only time you've</p> <p>3 seen that man?</p> <p>4 A. Based on my memory, that was my</p> <p>5 first time.</p> <p>6 Q. Can you describe any of the</p> <p>7 other plaintiffs?</p> <p>8 MR. FINI: Objection.</p> <p>9 A. I also saw a female on the same</p> <p>10 date, that day together.</p> <p>11 Q. And that was the first time you</p> <p>12 had seen that person?</p> <p>13 MR. FINI: Objection.</p> <p>14 A. I don't remember whether that</p> <p>15 was the first time, but in any event she</p> <p>16 was one of the plaintiffs.</p> <p>17 Q. Sitting here today, can you tell</p> <p>18 me whether you recall ever seeing that</p> <p>19 person before?</p> <p>20 MR. FINI: Objection.</p> <p>21 A. I don't really remember. I am</p> <p>22 not sure. Possibly there is another</p> <p>23 person that looks very similar to this</p> <p>24 person.</p> <p>25 Q. So you don't know if you have</p>

17 (Pages 197 - 200)

<p style="text-align: right;">Page 201</p> <p>1 LI</p> <p>2 ever seen her before?</p> <p>3 MR. FINI: Objection.</p> <p>4 A. Well, I don't know if it is the</p> <p>5 same person or two different persons on</p> <p>6 the chubby side with short hair.</p> <p>7 Q. Can you describe any of the</p> <p>8 other plaintiffs?</p> <p>9 MR. FINI: Objection.</p> <p>10 A. I am not able to match. There</p> <p>11 are so many people, so many people.</p> <p>12 Q. Do you know the names of any of</p> <p>13 the plaintiffs?</p> <p>14 MR. FINI: Objection.</p> <p>15 A. I don't.</p> <p>16 Q. Can you describe any of your</p> <p>17 counterclaims?</p> <p>18 MR. FINI: Objection.</p> <p>19 A. Since 2008 many, many times they</p> <p>20 continue to harass me, assault me, scare</p> <p>21 me.</p> <p>22 Q. Is there anything else you can</p> <p>23 tell me about your counterclaims?</p> <p>24 MR. FINI: Objection.</p> <p>25 A. They were the ones who first</p>	<p style="text-align: right;">Page 203</p> <p>1 LI</p> <p>2 A. I am not sure,</p> <p>3 Q. Can you identify any other</p> <p>4 incidents?</p> <p>5 A. Also Falun Gong person took all</p> <p>6 my stuff on the table and threw them on</p> <p>7 the street and then punched me, and I fell</p> <p>8 down.</p> <p>9 Q. When was that?</p> <p>10 A. 2010, 2011.</p> <p>11 Q. Do you know the date?</p> <p>12 A. I don't remember exactly. When</p> <p>13 the police arrived, this person ran away.</p> <p>14 Ran away.</p> <p>15 Q. You don't remember what year it</p> <p>16 happened either?</p> <p>17 A. I am going to have to go back</p> <p>18 and take a look, and then I'm going to</p> <p>19 provide it to my attorney and provide that</p> <p>20 in court to show everybody.</p> <p>21 Q. You are going to provide what?</p> <p>22 A. What the camera recorded at the</p> <p>23 time.</p> <p>24 Q. Do you have a copy of that</p> <p>25 video?</p>
<p style="text-align: right;">Page 202</p> <p>1 LI</p> <p>2 started to harass me, started harassing</p> <p>3 me, and now they turn around and falsely</p> <p>4 accuse me.</p> <p>5 Q. Who is they?</p> <p>6 A. All the plaintiffs.</p> <p>7 Q. When did they harass you?</p> <p>8 MR. FINI: Objection.</p> <p>9 A. Many, many occasions.</p> <p>10 Q. Can you name any of those</p> <p>11 occasions?</p> <p>12 A. Yes. So in '08 Falun Gong</p> <p>13 person brought big rocks, many, many big</p> <p>14 rocks and placed them on my table</p> <p>15 intending on killing me with those rocks</p> <p>16 and was arrested by the police, and I was</p> <p>17 given an order of protection.</p> <p>18 Q. Do you know who that person is?</p> <p>19 MR. FINI: Objection.</p> <p>20 A. I don't know how to say the</p> <p>21 name, but the name is written on the order</p> <p>22 of protection.</p> <p>23 Q. Is that one of the plaintiffs in</p> <p>24 this case?</p> <p>25 MR. FINI: Objection.</p>	<p style="text-align: right;">Page 204</p> <p>1 LI</p> <p>2 A. It is at my home. I am -- I</p> <p>3 could.</p> <p>4 Q. Have you provided that to your</p> <p>5 attorney?</p> <p>6 A. Not yet.</p> <p>7 MR. FINI: By the way, I</p> <p>8 believe that was produced, but go ahead.</p> <p>9 By Edmund Wong.</p> <p>10 MR. MOSKOVITZ: Her testimony is</p> <p>11 what it is.</p> <p>12 A. And -- and then in '08 another</p> <p>13 person from Falun Gong used a sharp object</p> <p>14 and caused me to bleed, and it was raining</p> <p>15 that day after this person pushed my</p> <p>16 table -- up turned my table, and I asked</p> <p>17 why did you push my table down, and this</p> <p>18 person took out a sharp object and caused</p> <p>19 me to bleed. The police arrived, took me</p> <p>20 to the hospital. They bandaged me up.</p> <p>21 Q. Going back to the incident</p> <p>22 before the one you're talking about now</p> <p>23 where you said that someone they threw</p> <p>24 your materials on the ground and punched</p> <p>25 you, who was that person?</p>

18 (Pages 201 - 204)

<p style="text-align: right;">Page 205</p> <p>1 LI</p> <p>2 A. I don't know this person.</p> <p>3 Q. Do you know what that person</p> <p>4 looks like?</p> <p>5 A. Very strong, medium height.</p> <p>6 Q. A man or a woman?</p> <p>7 A. Man. Around 50 years old</p> <p>8 approximately.</p> <p>9 Q. Anything else you can remember</p> <p>10 about that person?</p> <p>11 A. I met this person again, saw</p> <p>12 this person again, and this person got</p> <p>13 into a vehicle, a car, and I took a</p> <p>14 picture, and I got the plate number.</p> <p>15 Q. Okay. Do you have that picture</p> <p>16 with you today?</p> <p>17 A. I don't know if it is in my cell</p> <p>18 phone or not. Later on I call the</p> <p>19 police. I showed the police the picture</p> <p>20 that I took of the plate, but the police</p> <p>21 said there is no way they could follow</p> <p>22 through and chase after the guy.</p> <p>23 Q. And is that man a plaintiff in</p> <p>24 this case?</p> <p>25 A. I don't know the name or the</p>	<p style="text-align: right;">Page 207</p> <p>1 LI</p> <p>2 to my hair with a bunched up -- bunch and</p> <p>3 before this person poked me with that</p> <p>4 object this person had been to my table</p> <p>5 previously and harassing me. And after</p> <p>6 the incident that I was poked, speared</p> <p>7 with the object the -- their newspaper</p> <p>8 Herald -- their newspaper wrote complete</p> <p>9 rubbish about it and distorted the truth.</p> <p>10 If I choked that person that day, why did</p> <p>11 that person run away when the police</p> <p>12 showed up, so they distorted the truth.</p> <p>13 Q. Is that person a plaintiff in</p> <p>14 this lawsuit?</p> <p>15 A. I don't know this person's name.</p> <p>16 Q. Have you ever seen this person</p> <p>17 again after that date?</p> <p>18 A. I did not.</p> <p>19 Q. Can you describe any other</p> <p>20 incidents that are part of your</p> <p>21 counterclaims in this case?</p> <p>22 MR. FINI: Objection.</p> <p>23 A. All these years they continually</p> <p>24 insult, insult Chinese Americans.</p> <p>25 Q. Are there any other incidents</p>
<p style="text-align: right;">Page 206</p> <p>1 LI</p> <p>2 last name -- first or last name of that</p> <p>3 person.</p> <p>4 Q. Have you seen that man again</p> <p>5 since then?</p> <p>6 A. Yes, that time I called the</p> <p>7 police. I did.</p> <p>8 Q. And after that time have you</p> <p>9 seen that person since then?</p> <p>10 A. No.</p> <p>11 Q. The incident you're describing</p> <p>12 in -- you mentioned a moment ago in 2008</p> <p>13 you talked about a sharp object, do you</p> <p>14 remember the date that happened?</p> <p>15 A. No, I don't remember the exact</p> <p>16 day, but in the Falun Gong's newspaper</p> <p>17 they had an article written about it, and</p> <p>18 they wrote that I chased after this</p> <p>19 person, choked this person.</p> <p>20 Q. Who was that person?</p> <p>21 A. I don't know this person's name.</p> <p>22 Q. Is this person a man or a woman?</p> <p>23 A. Woman.</p> <p>24 Q. And what does she look like?</p> <p>25 A. 30s, medium height and similar</p>	<p style="text-align: right;">Page 208</p> <p>1 LI</p> <p>2 that you can describe that are a part of</p> <p>3 your counterclaims in this case?</p> <p>4 MR. FINI: Objection.</p> <p>5 A. There should be more. They make</p> <p>6 phone calls they are going to kill me. I</p> <p>7 called the police on that. I called the</p> <p>8 police. They were trying to scare me.</p> <p>9 Q. Can you describe any other</p> <p>10 incidents that are part of your</p> <p>11 counterclaims in this case?</p> <p>12 A. What is even more scary is after</p> <p>13 the conference on August 26 someone from</p> <p>14 the Falun Gong stand in front of my door</p> <p>15 to -- to extort me, to kill me.</p> <p>16 Q. Ms. Li, if you answer my</p> <p>17 question, I am going to assume that you</p> <p>18 understood it. Okay.</p> <p>19 Are there any other incidents</p> <p>20 that are part of your counterclaims in</p> <p>21 this case that you are able to describe</p> <p>22 sitting here today?</p> <p>23 MR. FINI: Objection.</p> <p>24 A. So many years over a hundred</p> <p>25 times all these years and their</p>

19 (Pages 205 - 208)